



CITY COUNCIL

AGENDA

September 22, 2003 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER 1

Invocation & Pledge Of Allegiance – Pastor Jack L. Mannschreck – Big Beaver Methodist Church 1

ROLL CALL 1

- A-1 Presentation: Thank you to Beaumont Hospital from the City of Troy for Their Display of Preparedness and Professionalism During the August 14, 2003 Power Outage 1

PUBLIC COMMENT: 1

- A. Items on the Current Agenda 1

- B. Items Not on the Current Agenda 2

CONSENT AGENDA 2

- E-1 Approval of Consent Agenda 2

- E-2 Minutes: Regular Meeting of September 8, 2003 2

- E-3 Proposed City of Troy Proclamations: 2

(a) Proclamation of Recognition – Beaumont Hospital, Troy 3

- E-4 Corrected Resolution: Standard Purchasing Resolution 1: Award to Low Bidder – Volunteer Firefighter Uniforms from Regular City Council Meeting Held on Monday, September 8, 2003 3

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3317 or via e-mail at clerk@ci.troy.mi.us at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

E-5	Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Avondale Youth Assistance	3
E-6	Membership Renewal – Macomb County Criminal Justice Training Consortium	3
E-7	Standard Purchasing Resolution 1: Award to Low Bidder – Big Beaver Landscape Project	4
E-8	Inergy Automotive Systems (USA), L.L.C. v. City of Troy	4
E-9	City of Troy v. Ann Stromar, et. al	4
E-10	Request for Acceptance of Conditioned Purchase Offer for Maple Road/Coolidge to Crooks Watermain and Sidewalk Project #01.501.5 – Russ & Russ, L.L.C. – 1925 West Maple, Sidwell #88-20-32-226-026	4
E-11	Private Agreement for River Bend Condominiums – Project No. 01.949.3	5
E-12	Request for Acceptance of Permanent Easement for Storm Sewer & Abandonment of Old Easement Over Troy School District Property in Section 5 – Sidwell #88-20-05-300-002	5
E-13	Request for Acceptance of Permanent Easements for Woodman/Estates/Wattles Storm Drain/Sewer – Section 19 – Sidwell #88-20-19-203-015, #88-20-19-203-016, #88-20-19-203-035, #88-20=19-203-050 and #88-20=19-203-052	5
E-14	Amendment #2 – Office Space Rental Agreement – Emerald Food Service – Café/Pro Shop Contract	6

REGULAR BUSINESS **6**

F-1	Appointments to Boards and Committees: (1) Mayoral Appointments: a) Civil Service Commission (Act 78); b) Economic Development Corporation; c) Downtown Development Authority; and d) Planning Commission AND (2) City Council Appointments: a) Historical Commission; and b) Troy Daze	6
F-2	Closed Session	11
F-3	Council Rules of Procedure – Rule #10 – Reconsideration of Questions - Amendment Proposal	11

F-4	Installation of Bronze Statue/Dedication Plaque in Memory of Margaret Gaffney	12
F-5	Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community Coalition	13
F-6	Amendments to the Registration Plate Violation Section and Definition Section of Chapter 106 of the City Code	13
F-7	Municipal Credit and Community Credit Agreement	13
F-8	Approval of Informal Quote – Sod Replacement on Big Beaver	14
F-9	Design Services for Section 30 – Water Main – Project No. 03.503.5	14
F-10	Bid Waiver – Police Department Promotional and Entry Level Testing Services	14

COUNCIL COMMENTS/COUNCIL REFERRALS **15**

Reconsideration of: Standard Purchasing Resolution 8: Best Value Process Award – 2004 Calendar/Annual Report Printing Services – Proposed by Mayor Pryor	15
--	----

REPORTS AND COMMUNICATIONS **16**

G-1	Minutes – Boards and Committees:	16
	(a) Advisory Committee for Senior Citizens/Final – June 5, 2003.....	16
	(b) Parks & Recreation Advisory Board/Final – July 8, 2003	16
	(c) Parks & Recreation Advisory Board/Final – July 31, 2003	16
	(d) Advisory Committee for Persons with Disabilities/Final – August 6, 2003.....	16
	(e) Building Code Board of Appeals/Final – August 6, 2003.....	16
	(f) Troy Daze /Final – August 19, 2003	16
	(g) Library Board/Final – August 21, 2003	16
	(h) Planning Commission Special/Draft – August 26, 2003	16
	(i) Planning Commission Special/Final – August 26, 2003	16
	(j) Youth Council/Draft – August 27, 2003	16
	(k) Advisory Committee for Persons with Disabilities/Draft – September 3, 2003 ...	16
	(l) Civic Center Priority Task Force/Final – September 3, 2003.....	16
	(m) Troy Daze/Draft – September 3, 2003.....	16
	(n) Advisory Committee for Senior Citizens/Draft – September 4, 2003.....	16
	(o) Civic Center Priority Task Force/Draft – September 10, 2003.....	16
	(p) Library Board/Draft – September 11, 2003.....	16
G-2	Department Report(s):	16
	(a) Permits Issued During the Month of August 2003	16

(b) City of Troy – Retirement System – Summary Annual Report to Members – December 31, 2002.....	16
(c) Monthly Financial Report – August 31, 2003.....	16
G-3 Announcement of Public Hearings:	17
(a) Parking Variance Request – 2075-2085 W. Big Beaver Road – Scheduled for Monday, October 6, 2003	17
(b) Preliminary Site Plan Review and Amended Consent Judgment (SP-146) Troy Commons – Northwest Corner of Big Beaver and Rochester Roads – Section 22 – B-2 and B-3 - Scheduled for Monday, October 6, 2003	17
G-4 Proposed Proclamations/Resolutions from Other Organizations:	17
(a) Resolutions Opposing Change to CDBG Funding – Madison Heights and Hazel Park.....	17
G-5 Letters of Appreciation:	17
(a) Letter from Linda Gamrat to the Department of Public Works Expressing Her Appreciation Regarding the Repavement of Her Driveway	17
(b) Letter from Dina Powell, Assistant to the President for Presidential Personnel to Leonard Bertin, Chairman – Advisory Committee for Persons with Disabilities Acknowledging His Recommendation of Gary L. Talbot for a Position on the Architectural and Transportation Barriers Compliance Access Board.....	17
(c) Letter from Ramona Wasniewski to Chief Craft Thanking Officer Paul Boska for Assisting Her Son, Jordan, Who was Involved in an Automobile Accident ...	17
(d) Thank-You from Oakland Park Towers II Residents to the Police Department for Their Assistance During the “2003 Blackout”	17
(e) Letter from Ann M. Comiskey, Executive Director – Troy Community Coalition, to Officer Ryan Kukla Thanking Him for Being Their Guest Speaker at a Troy Community Coalition Meeting	17
(f) Letter from Lori Podsiadlik, Program Director – Troy Community Coalition, to Chief Craft Thanking the Troy Police Canine Unit (Officers Klute, Bednard, Barrows and Cole) for the Demonstration Given at the Rochester Villas Summer Camp	17
(g) Thank-you from Mr. & Mrs. Kenneth Linton to the Troy Police Department for Assisting Them in Locating Their Nephew Who Lives in Pennsylvania	17
(h) Thank-you from Marc Higginbotham in Appreciation of Apprehending the Alleged Perpetrators Involved in the Holiday Inn Incident	17
(i) Letter from Jerry Solomon, City Elevator, Thanking Linda Bockstanz and Steven Pallotta for the Exemplary Display of Professionalism and Execution of the Bid Opening They Displayed for the Elevator Maintenance Bid	17
G-6 Calendar	17
G-7 Press Release, Re: SOCRRA Member Communities Receive \$1,000,000 Refund	17
G-8 Memorandum, Re: Saleen Assembly Facility (Former Stanley Door Site) – 1225 E. Maple Road	17

G-9	Memorandum, Re: Parks and Recreation Receives a “Keep Michigan Beautiful Award”	17
G-10	Memorandum, (Green) Re: Update – Planning Commission Proposed Zoning Ordinance Text Amendments (ZOTAS)	17
G-11	Memorandum, (Green) Re: Minutes of the August 5, 2003 Planning Commission Special/Study Meeting	18
G-12	Memorandum, Re: Reduction of Special Assessment for Hilmore/Larayne Paving – SAD #02.107.1	18
G-13	Memorandum, Re: Member Composition: Parks and Recreation Advisory Board & Advisory Committee for Senior Citizens Composition	18
G-14	Memorandum, Re: Parks & Recreation Receives Community Forestry Grant from the Michigan Department of Natural Resources	18
G-15	Memorandum, Re: Status Report – E-procurement Initiative – Third Party Vendor Registration and On-Line Auctioning	18
G-16	Memorandum, (Green) Re: Parks and Recreation Fee Structure	18
G-17	Memorandum, Re: Recent SDM Applications at Gas Stations	18
G-18	Letter from Richard Peters Requesting a Ten Million Bond Proposal on the April 2004 Ballot for the Purpose of Land Usage and Restoration	18
G-19	Memorandum, (Green) Re: Dedicated Football Field	18
<u>PUBLIC COMMENT</u>		18

CALL TO ORDER

Invocation & Pledge Of Allegiance – Pastor Jack L. Mannschreck – Big Beaver Methodist Church

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

A-1 Presentation: Thank you to Beaumont Hospital from the City of Troy for Their Display of Preparedness and Professionalism During the August 14, 2003 Power Outage

PUBLIC COMMENT:

A. Items on the Current Agenda

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

B. Items Not on the Current Agenda

After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Rules of Procedure for the City Council, Article 14 as amended August 4, 2003)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 12, as amended August 4, 2003.)

E-1 Approval of Consent AgendaSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

E-2 Minutes: Regular Meeting of September 8, 2003Suggested Resolution

Resolution #2003-09-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of September 8, 2003, be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations:Suggested Resolution

Resolution #2003-09-

RESOLVED, That the following City of Troy Proclamation be **APPROVED**:

- (a) Proclamation of Recognition – Beaumont Hospital, Troy

E-4 Corrected Resolution: Standard Purchasing Resolution 1: Award to Low Bidder – Volunteer Firefighter Uniforms from Regular City Council Meeting Held on Monday, September 8, 2003

NOTE: The below corrected Resolution #2003-09-443-E-7 from the Regular City Council Meeting held on Monday, September 8, 2003 has been resubmitted for Council approval noting that “and Allie Brothers, Inc. at an estimated total cost of \$12,000.00 per year” has been **INSERTED**.

Suggested Resolution
Resolution #2003-09-

RESOLVED, That contracts to furnish two-year requirements of Fire Uniforms for the volunteer firefighters with an option to renew for two-one year periods are hereby **AWARDED** to the low bidders, Metropolitan Uniform Co., Inc. and Allie Brothers, Inc. at an estimated total cost of \$12,000.00 per year, at unit prices contained in the bid tabulation opened June 19, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-5 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Avondale Youth Assistance

Suggested Resolution
Resolution #2003-09-

RESOLVED, That approval to expend funds budgeted in the 2003/2004 fiscal year to the Avondale Youth Assistance to provide counseling and community services to prevent youth offender recidivism to the residents of Troy who reside in the Avondale School District at a cost of \$2,210.00, paid in one installment is hereby **APPROVED**, ; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Membership Renewal – Macomb County Criminal Justice Training Consortium

Suggested Resolution
Resolution #2003-09-

WHEREAS, Macomb Community College has provided the City of Troy Police Department with training at their Criminal Justice Training Facility; and

WHEREAS, It is desirable to continue re-certification of police officers in Emergency Vehicle Operations and utilize the state of the art Computerized Simulated Shooting Scenario System and Crime Lab.

NOW, THEREFORE, BE IT RESOLVED, That a one-year membership renewal is hereby **APPROVED** with the Macomb Community College to become a member of the Macomb County Criminal Justice Training Consortium at an annual fee of \$22,110.00.

E-7 Standard Purchasing Resolution 1: Award to Low Bidder – Big Beaver Landscape Project

Suggested Resolution
Resolution #2003-09-

RESOLVED, That a contract to complete the Big Beaver Landscape Project is hereby **AWARDED** to the low bidder, Tom's Landscaping, Inc., for an estimated total cost of \$399,820.00, at prices contained in the bid tabulation for each complete island, which was opened September 10, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid documents, including bonds, insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is authorized in accordance with the attached Schedule of Values, not to exceed 10% of the total project cost.

E-8 Inergy Automotive Systems (USA), L.L.C. v. City of Troy

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of Inergy Automotive Systems (USA), L.L.C. v. City of Troy and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-9 City of Troy v. Ann Stromar, et. al

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the City of Troy City Council **APPROVES** payment of \$21,906.37 in accordance with the Order Granting Motion for Summary Disposition entered in the case of City of Troy v. Ann Stromar, et. al by the Oakland County Circuit Court on September 16, 2003.

E-10 Request for Acceptance of Conditioned Purchase Offer for Maple Road/Coolidge to Crooks Watermain and Sidewalk Project #01.501.5 – Russ & Russ, L.L.C. – 1925 West Maple, Sidwell #88-20-32-226-026

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the Agreement to Purchase between the City of Troy and Russ & Russ, L.L.C., having Sidwell #88-20-32-226-026 for acquisition of right-of-way in the amount of \$64,000.00, plus closing costs is hereby **APPROVED**.

E-11 Private Agreement for River Bend Condominiums – Project No. 01.949.3

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Harrington Park Development, L.L.C. is hereby **APPROVED** for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks, landscaping, soil erosion and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-12 Request for Acceptance of Permanent Easement for Storm Sewer & Abandonment of Old Easement Over Troy School District Property in Section 5 – Sidwell #88-20-05-300-002

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the Permanent Easement for Storm Sewer from Troy School District, owner of property having Sidwell #88-20-05-300-002, is hereby **ACCEPTED** for the operation, maintenance and repair of storm sewer and in replacement of an easement previously recorded in Liber 8213, Page 222 of Oakland County Records; and

BE IT FURTHER RESOLVED, That the storm sewer easement previously recorded in Liber 8213, Page 222 of Oakland County Records is hereby **ABANDONED**; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said easement and resolution with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-13 Request for Acceptance of Permanent Easements for Woodman/Estates/Wattles Storm Drain/Sewer – Section 19 – Sidwell #88-20-19-203-015, #88-20-19-203-016, #88-20-19-203-035, #88-20=19-203-050 and #88-20=19-203-052

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the Permanent Easements from Richard E. Cody and Renay C. Cody, husband and wife, owners of property at 3900 Woodman, having Sidwell #88-20-19-203-015; Bradley L. Blair and Cherilyn Ross, husband and wife, owners of property at 3890 Woodman, having Sidwell #88-20-19-203-016; Virginia M. Carson, survivor of herself and her deceased husband, Daniel R. Carson, owner of property at 389 Estates Court having Sidwell #88-20-19-

203-035; Patricia A. Stewart and Richard W. Stewart, Trustees, under the Patricia A. Stewart Living Trust dated May 22, 2000, owner of property at 2355 West Wattles, having Sidwell #88-20-19-203-050, and from Mary Anne Donley and Frank M. Donley, wife and husband, owners of property at 2321 West Wattles, having Sidwell #88-20-19-203-052, are hereby **ACCEPTED** for the operation, maintenance and repair of storm drain/sewer; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said documents with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-14 Amendment #2 – Office Space Rental Agreement – Emerald Food Service – Café/Pro Shop Contract

Suggested Resolution
Resolution #2003-09-

RESOLVED, That the original Agreement dated March 18, 2002 to provide a Café and Pro Shop Operation in the Community Center with Emerald Food Service be **AMENDED** to include space for an office to be used by Emerald Food Service to conduct business related to their operation in the Community Center.

REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 14, as amended August 4, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

F-1 Appointments to Boards and Committees: (1) Mayoral Appointments: a) Civil Service Commission (Act 78); b) Economic Development Corporation; c) Downtown Development Authority; and d) Planning Commission AND (2) City Council Appointments: a) Historical Commission; and b) Troy Daze

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

(a) Mayoral Appointments

Suggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That David C. Cannon is hereby **REINSTATED** by the Mayor and **CONFIRMED** by City Council to serve on the Act 78 Civil Service Commission for the remainder of his term expiring on April 30, 2006.

Yes:

No:

(Act 78) Civil Service Commission

Mayor, Council Approval (1) – 6 years (1-Mayor, 1-Police/Fire Depts, 1-Civil Service)

David C Cannon (Reinstatement of term)

Term expires 04-30-2006

Mr. Cannon was on Military Leave

CURRENT MEMBERS

NAME	TERM EXPIRES
Norman (Don) Michaelson (Temporary Appt)	11/16/03
David C. Cannon (Council)(Military Leave)	04/30/06
Donald E. McGinnis, Jr Ch. (Police/Fire)	04/30/04
Patrick Daugherty (Civil Service)	04/30/08

Suggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE MAYOR** with **COUNCIL APPROVAL** to serve on the Boards and Committees as indicated:

Economic Development Corporation

Mayor, Council Approval (9) – 6 years

Stuart F Redpath - Does not wish to be reappointed

Term expires 04-30-2009

Term expires 04-30-2009

Term expires 04-30-2009

CURRENT MEMBERS

NAME	TERM EXPIRES
Bluhm, Kenneth	04/30/06
Gigliotti, Robert S	04/30/08
Licari, Leger (Nino)	04/30/04
Parker, Michael	04/30/07
Redpath, Stuart F	04/30/03
James A. Rocchio	04/30/03
Salgat, Charles	04/30/04
Sharp, John	04/30/03
Smith, Douglas	04/30/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Almassian, Carolyn	04/22/02-04/2004	05/06/02
Baughman, Deborah L	06/18/01-05/2003	07/09/01
Chang, Jouky	10/02/01-10/2003	10/15/01
Chhaya, Dhimant	09/26/02	10/07/02
Hall, Patrick C	01/26/01-06/12/01-05/2003	02/05/01-07/09/01
Hoef, Paul V	09/12/01-08/14/02-08/2004	09/17/01
Freliga, Victor P	11/25/02-11/2004	12/02/02
Pritzloff, Mark	04/17/03-04/2003	04/28/03
Shah, Jayshree	08/28/01	09/17/01
Silver, Neil S	08/11/00-06/20/01-05/2003	08/21/00-07/09/01
Victor, Robert	06/03/03-05/2005	06/16/03

Downtown Development Authority**Mayor, Council Approval (13) – 4 years****Stuart Frankel - Wishes to be reappointed****Term expires 09-30-2007****Clarke B Maxson - Does not wish to be reappointed****Term expires 09-30-2007****Carol A Price - Wishes to be reappointed****Term expires 09-30-2007****CURRENT MEMBERS**

NAME	TERM EXPIRES
Michael W. Culpepper	09/30/04
Stuart Frankel	09/30/03
Michele Hodges	09/30/05
William Kennis	09/30/06
Alan M. Kiriluk	09/30/04
G. Thomas York	09/30/04
Daniel MacLeish	09/30/05
Clarke B. Maxson	09/30/03

Carol A. Price	09/30/03
Ernest C. Reschke	09/30/06
Douglas J. Schroeder	09/30/06
Harvey Weiss	09/30/05
Matt Pryor	09/30/04
Fred Wong (Student)	07/01/04

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Alexander, Larry	06/12/01-05/2003	07/09/01
Baughman, Deborah L	03/29/01-06/18/01-05/2003	04/09/01-07/09/01
Brodbine, Anju C.	08/13/02-08/2004	08/19/02
Calice, Mark A	06/97	
Chang, Jouky	10/02/01-10/2003	10/15/01
Elenbaum, Anita	04/17/02-04/2004	04/22/02
Howrylak, Frank J	04/05/01/6-11/03-05/2005	04/09/01-06/16/03
Huber, Laurie G	06/18/01-05/2003	07/09/01
Lang, Victoria	07/09/01-06/16/03-06/2005	07/23/01-07/07/03
O'Brien, Michael	07/28/03-07/2005	08/04/03
Petrulis, Al	02/11/03-02/2005	02/17/03
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Rocchio, James A	04/16/01	04/23/01
Schultz, Robert M	06/19/01	01/22/01/7/09/01
Shah, Jayshree	08/28/01-08/2003	09/17/01
Shier, Frank	02/18/03-02/2005	03/03/03
Shiner, Mary E	11/28/01-11/2003	12/09/01
Silver, Neil S	08/11/00-06/20/01-06/9/03-05/2005	08/21/00-07/09/01-06/16/03
Victor, Robert	06/03/03-05/2005	
Watkins, Patrick N	05/22/00-05/2003	
Wilberding, Bruce J	08/05/99-06/17/03-06/2005	
Wright, Wayne C	01/07/99-06/18/03-06/2005	

Planning Commission**Mayor, Council Approval (9) – 3 years**

Amalfi Parker

Term expires 07-01-2004 (Student)**CURRENT MEMBERS**

NAME	TERM EXPIRES
Gary G. Chamberlain	12/31/05
Dennis A. Kramer (BZA Alt)	12/31/03
Larry Littman	12/31/04
James P. Ong (Student)	07/01/03
Robert M. Schultz	12/31/05
Walter A. Storrs, III	12/31/03

Thomas Strat	12/31/05
Mark J Vleck (BZA Rep)	12/31/04
David T. Waller	12/31/03
Wayne C. Wright	12/31/04

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Amalfi Parker	06/15/03	09/08/03

(b) City Council AppointmentsSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Historical Commission**Appointed by Council (7) – 3 years****Term expires 07-01-2004 (Student)****CURRENT MEMBERS**

NAME	TERM EXPIRES
Edward Bortner	07/31/05
Roger Kaniarz	07/31/05
Rosemary Kornacki	07/31/05
Sucheta Sikdar (Student)	07/01/03
Kevin Lindsey	07/31/06
Terry Navratil	07/31/06
Jack Turner	07/31/04
Brian J. Wattles	07/31/04

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

Troy Daze**Appointed by Council (9) – 3 years****Term expires 07-01-2004 (Student)****CURRENT MEMBERS**

NAME	TERM EXPIRES
Robert A. Berk	11/30/03
Sue Bishop	11/30/04
Jim D. Cyrulewski.	11/30/04
Cecile Dilley	11/30/04
Kessie Kaltsounis	11/30/05
Richard L. Tharp	11/30/03
William F Hall	11/30/05
Jeffrey Stewart (Rep to Parks/Rec Board)	11/30/06
Robert S. Preston	11/30/05
Cheryl A Kaszubski	11/30/03
Jessica Zablocki (Student)	07/01/03

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

Yes:

No:

F-2 Closed SessionSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, that the City Council of the City of Troy **SHALL MEET** in Closed Session as permitted by State Statute MCL 15.268, Section (e); Sauger v City of Troy, after adjournment of this meeting.

Yes

No:

F-3 Council Rules of Procedure – Rule #10 – Reconsideration of Questions - Amendment ProposalSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

a) Proposed Resolution A

RESOLVED, That the Rules of Procedure of the City Council of the City of Troy are hereby **AMENDED** as recommended by City Management and **RECORDED** by the City Clerk in the Minutes of this meeting as follows:

Rule 10. Reconsideration of any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

Rule 11. Rescinding any vote of the Council shall require the affirmative vote of the majority of the Council Members.

OR

b) **Proposed Resolution B**

RESOLVED, That Rules of Procedure of the City Council of the City of Troy are hereby **AMENDED** as recommended by City Management and **RECORDED** by the City Clerk in the Minutes of this meeting as follows:

Rule 10. Reconsideration or Rescinding any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

OR

c) **Proposed Resolution C**

RESOLVED, That the Rules of Procedure of the City Council of the City of Troy are hereby **AMENDED** as recommended by City Management and **RECORDED** by the City Clerk in the Minutes of this meeting as follows:

Rule 10. Reconsideration or Rescinding any vote of the Council may be made by the prevailing side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

Yes:

No:

F-4 Installation of Bronze Statue/Dedication Plaque in Memory of Margaret Gaffney

Suggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That the City Council **APPROVES** the installation of a 42" bronze statue in the Peace Garden and that said installation is funded by the Peace Garden Committee.

Yes:

No:

F-5 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community CoalitionSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That approval to expend funds budgeted in the 2003/2004 fiscal year to the Troy Community Coalition to provide community services to prevent drug and alcohol abuse in the amount of \$100,000.00 is hereby **APPROVED**, the Mayor and City Clerk are **AUTHORIZED** on behalf of the City of Troy to sign the agreement., A copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-6 Amendments to the Registration Plate Violation Section and Definition Section of Chapter 106 of the City CodeSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That the ordinance amendment to Chapter 106 – Traffic Code is hereby **ADOPTED** as recommended by the City Attorney; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-7 Municipal Credit and Community Credit AgreementSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That the request that the City transfer Municipal Credit Funds in the amount of \$76,084.00 and Community Credit Funds in the amount of \$94,827.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities is hereby **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents and copies shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the Troy City Council **APPROVES** the merging of the Dial-a-Ride Service with the City of Birmingham to include expanded routes and service areas.

Yes:

No:

F-8 Approval of Informal Quote – Sod Replacement on Big BeaverSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

WHEREAS, Michigan Highway Contracting was the low bidder for sod replacement along the south side of Big Beaver Road, west of Coolidge between the sidewalk and the street after receiving informal quotes from three area contractors; and

WHEREAS, Funding is authorized by the Downtown Development Authority's Resolution #03-15.

BE IT RESOLVED, That a contract with Michigan Highway Contracting to replace approximately 2,240 square yards of sod at \$5.95/square yard is hereby **APPROVED** at a cost of approximately \$13,328.00.

Yes:

No:

F-9 Design Services for Section 30 – Water Main – Project No. 03.503.5Suggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That the proposal submitted by Spalding DeDecker Associates, Inc. (SDA) is **APPROVED AND AUTHORIZATION** is hereby given to SDA to proceed with plans and specifications for the replacement of existing water mains utilizing directional drilling methods in Section 30, Project No. 03.503.5, at an estimated cost to the City of Troy not to exceed \$60,000.00.

Yes:

No:

F-10 Bid Waiver – Police Department Promotional and Entry Level Testing ServicesSuggested Resolution

Resolution #2003-09-

Moved by

Seconded by

WHEREAS, EMPCO, Inc. has been providing testing and hiring services for the City's Police Department for 13 years; and

WHEREAS, EMPCO, Inc. meets departmental needs, complies with Act 78 Commission requirements, recently purchased all the Michigan Municipal League's testing services and has proven to be fair and impartial;

NOW, THEREFORE, BE IT RESOLVED, That a contract with EMPCO, Inc. to provide police lieutenant and sergeant promotional testing, and entry level police officer testing is hereby **APPROVED** at the following fees:

Police Sergeant:

- **Written Test** - \$18.00 per test question and \$18.00 per candidate.
- **Assessment Center** – Base fee of \$4,500.00 for six candidates, \$2,000 each additional group of six or fraction thereof, \$300.00 per individual candidate, plus a mileage rate of \$0.365 for the three assessors and the facilitator.

Police Lieutenant:

- **Assessment Center** – Base fee of \$4,500.00 for six candidates, \$2,000.00 for each additional group of six or fraction thereof, \$300.00 per individual candidate, plus a mileage rate of \$0.365 for the three assessors and the facilitator.

Entry Level Police Officer Testing:

- Candidates 1-5 \$2,250.00
- Candidates 6-10 \$1,600.00
- Candidates 11-20 \$1,000.00
- Candidates 21 and above \$ 200.00

Yes:

No:

COUNCIL COMMENTS/COUNCIL REFERRALS

Reconsideration of: Standard Purchasing Resolution 8: Best Value Process Award – 2004 Calendar/Annual Report Printing Services – Proposed by Mayor Pryor

Suggested Resolution

Resolution #2003-09-

Moved by

Seconded by

RESOLVED, That Resolution #2003-08-394, Moved by Beltramini and Seconded by Stine, as it appears below be **RECONSIDERED** by City Council:

RESOLVED, That a contract for the 2004 City Calendar with an option to renew for two additional years is hereby **AWARDED** to University Lithoprinters, Inc., the lowest bidder with the highest score, as a result of a Best Value process which the Troy City Council determines as being in the public interest at an estimated annual cost of \$29,000.00, at unit prices contained in the bid tabulation opened August 20, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Lambert, Stine, Beltramini
No: Howrylak, Broomfield, Eisenbacher
Absent: Pryor

Yes:
No:

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Advisory Committee for Senior Citizens/Final – June 5, 2003
- (b) Parks & Recreation Advisory Board/Final – July 8, 2003
- (c) Parks & Recreation Advisory Board/Final – July 31, 2003
- (d) Advisory Committee for Persons with Disabilities/Final – August 6, 2003
- (e) Building Code Board of Appeals/Final – August 6, 2003
- (f) Troy Daze /Final – August 19, 2003
- (g) Library Board/Final – August 21, 2003
- (h) Planning Commission Special/Draft – August 26, 2003
- (i) Planning Commission Special/Final – August 26, 2003
- (j) Youth Council/Draft – August 27, 2003
- (k) Advisory Committee for Persons with Disabilities/Draft – September 3, 2003
- (l) Civic Center Priority Task Force/Final – September 3, 2003
- (m) Troy Daze/Draft – September 3, 2003
- (n) Advisory Committee for Senior Citizens/Draft – September 4, 2003
- (o) Civic Center Priority Task Force/Draft – September 10, 2003
- (p) Library Board/Draft – September 11, 2003

G-2 Department Report(s):

- (a) Permits Issued During the Month of August 2003
- (b) City of Troy – Retirement System – Summary Annual Report to Members – December 31, 2002
- (c) Monthly Financial Report – August 31, 2003

G-3 Announcement of Public Hearings:

- (a) Parking Variance Request – 2075-2085 W. Big Beaver Road – **Scheduled for Monday, October 6, 2003**
 - (b) Preliminary Site Plan Review and Amended Consent Judgment (SP-146) Troy Commons – Northwest Corner of Big Beaver and Rochester Roads – Section 22 – B-2 and B-3 - **Scheduled for Monday, October 6, 2003**
-

G-4 Proposed Proclamations/Resolutions from Other Organizations:

- (a) Resolutions Opposing Change to CDBG Funding – Madison Heights and Hazel Park
-

G-5 Letters of Appreciation:

- (a) Letter from Linda Gamrat to the Department of Public Works Expressing Her Appreciation Regarding the Repavement of Her Driveway
 - (b) Letter from Dina Powell, Assistant to the President for Presidential Personnel to Leonard Bertin, Chairman – Advisory Committee for Persons with Disabilities Acknowledging His Recommendation of Gary L. Talbot for a Position on the Architectural and Transportation Barriers Compliance Access Board
 - (c) Letter from Ramona Wasniewski to Chief Craft Thanking Officer Paul Boska for Assisting Her Son, Jordan, Who was Involved in an Automobile Accident
 - (d) Thank-You from Oakland Park Towers II Residents to the Police Department for Their Assistance During the “2003 Blackout”
 - (e) Letter from Ann M. Comiskey, Executive Director – Troy Community Coalition, to Officer Ryan Kukla Thanking Him for Being Their Guest Speaker at a Troy Community Coalition Meeting
 - (f) Letter from Lori Podsiadlik, Program Director – Troy Community Coalition, to Chief Craft Thanking the Troy Police Canine Unit (Officers Klute, Bednard, Barrows and Cole) for the Demonstration Given at the Rochester Villas Summer Camp
 - (g) Thank-you from Mr. & Mrs. Kenneth Linton to the Troy Police Department for Assisting Them in Locating Their Nephew Who Lives in Pennsylvania
 - (h) Thank-you from Marc Higginbotham in Appreciation of Apprehending the Alleged Perpetrators Involved in the Holiday Inn Incident
 - (i) Letter from Jerry Solomon, City Elevator, Thanking Linda Bockstanz and Steven Pallotta for the Exemplary Display of Professionalism and Execution of the Bid Opening They Displayed for the Elevator Maintenance Bid
-

G-6 Calendar

G-7 Press Release, Re: SOCRRA Member Communities Receive \$1,000,000 Refund

G-8 Memorandum, Re: Saleen Assembly Facility (Former Stanley Door Site) – 1225 E. Maple Road

G-9 Memorandum, Re: Parks and Recreation Receives a “Keep Michigan Beautiful Award”

G-10 Memorandum, (Green) Re: Update – Planning Commission Proposed Zoning Ordinance Text Amendments (ZOTAS)

- G-11** Memorandum, **(Green)** Re: Minutes of the August 5, 2003 Planning Commission Special/Study Meeting
-
- G-12** Memorandum, Re: Reduction of Special Assessment for Hilmore/Larayne Paving – SAD #02.107.1
-
- G-13** Memorandum, Re: Member Composition: Parks and Recreation Advisory Board & Advisory Committee for Senior Citizens Composition
-
- G-14** Memorandum, Re: Parks & Recreation Receives Community Forestry Grant from the Michigan Department of Natural Resources
-
- G-15** Memorandum, Re: Status Report – E-procurement Initiative – Third Party Vendor Registration and On-Line Auctioning
-
- G-16** Memorandum, **(Green)** Re: Parks and Recreation Fee Structure
-
- G-17** Memorandum, Re: Recent SDM Applications at Gas Stations
-
- G-18** Letter from Richard Peters Requesting a Ten Million Bond Proposal on the April 2004 Ballot for the Purpose of Land Usage and Restoration
-
- G-19** Memorandum, **(Green)** Re: Dedicated Football Field
-

PUBLIC COMMENT

Public Comment is limited to people who have not addressed Council during the 1st Public Comment section. (Rules of Procedure for the City Council, Article 5 (15), as amended May 6, 2002.)

Respectfully submitted,

John Szerlag, City Manager

PROCLAMATION OF RECOGNITION
Beaumont Hospital, Troy

WHEREAS, **Beaumont Hospital, Troy** has provided a valuable service to this community for the past 26 years and the entire hospital staff and volunteers have provided years of constant care, commitment and the highest standards of a profession so essential in assuring our citizens the best in health care and treatment; and

WHEREAS, The patients and families that come to **Beaumont Hospital, Troy** always receive the best possible personalized care in their time of need in great part due to the professionalism, generosity and selflessness of the Beaumont staff and volunteers; and

WHEREAS, On August 14, 2003 a power outage occurred that affected Troy and almost one-fourth of the Eastern United States; and

WHEREAS, When the power was lost at **Beaumont Troy**, the staff immediately put into effect their emergency operations plan. These plans can be practiced over and over again, but nothing can really prepare anyone for an actual occurrence such as Blackout 2003, which was catastrophic to millions of people; and

WHEREAS, To the patients at **Beaumont Troy**, care continued almost seamlessly thanks to the training, preparedness and professionalism of the administration, doctors, nurses, aides, volunteers, maintenance and cleaning personnel. Troy residents who were patients during the blackout expressed appreciation to the entire Hospital staff for going above and beyond the call of duty during what could have been a very tough time indeed.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy extends special recognition to all **Beaumont Hospital, Troy Staff** for their professionalism and dedication to their patients during Blackout 2003; and

BE IT FURTHER RESOLVED, That the Troy City Council and the Citizens of Troy admire the **Beaumont Hospital, Troy Staff's** commitment that has aided the community for so many years. This achievement reflects continuous support, dedication and caring by an exceptional group of men and women.

Presented this 22nd day of September 2003.

A Regular Meeting of the Troy City Council was held Monday, September 8, 2003, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Lambert called the Meeting to order at 7:34 P.M.

The Invocation was given by Pastor Tom Barbret – Lutheran Church of the Master and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor – (Absent)
 Robin E. Beltramini
 Cristina Broomfield
 David Eisenbacher
 Martin F. Howrylak
 David A. Lambert
 Jeanne M. Stine

Resolution to Excuse Mayor Pryor

Resolution #2003-09-431
 Moved by Beltramini
 Seconded by Stine

RESOLVED, That Mayor Pryor's absence at the Regular City Council meeting and Closed Session of September 8, 2003 **BE EXCUSED** due to being out of the country.

Yes: All-6
 No: None
 Absent: Pryor

A-1 Presentation: Amalfi Parker, Student Representative Candidate for the Planning Commission, introduced herself to City Council, City Staff and members of the audience.

PUBLIC HEARINGS

C-1 Parking Variance – 3614-3674 Rochester Road

Resolution #2003-09-432
 Moved by Beltramini
 Seconded by Eisenbacher

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.

2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from Eric Ersher for waiver of 57 parking spaces at the development at 3614–3674 Rochester Road be **APPROVED**.

Yes: All-6
No: None
Absent: Pryor

C-2 Amendments to Brownfield Plan #3

Resolution #2003-09-433
Moved by Eisenbacher
Seconded by Stine

RESOLVED, That Troy City Council **APPROVE** the amendments to Brownfield Redevelopment Plan #3.

Yes: Eisenbacher, Lambert, Stine, Beltramini, Broomfield
No: Howrylak
Absent: Pryor

MOTION CARRIED

C-3 Community Development Block Program (CDBG) Reprogramming

Resolution #2003-09-434

Moved by Howrylak

Seconded by Stine

RESOLVED, That the City Council of the City of Troy, after conclusion of a Public Hearing on this date, September 8, 2003, has determined that Year 2001 unspent funds should be **RE-PROGRAMMED** from Flood Drain Improvements to Special Assessment.

Yes: All-6

No: None

Absent: Pryor

POSTPONED ITEMS

D-1 Reconsideration of Oak Forest Subdivisions, Fetterly Drain, Regional Detention and Linear Park Development

City Management recommends that City Council defeat the following Reconsideration Motion due to a flawed reconsideration process (See G-11a, Council Rules and Procedures – Rule #10, Reconsideration of Questions Amendment Proposal Memorandum). Additionally, it is the understanding of City Management from Mayor Pryor that Mr. Garrett intends on submitting a significantly altered proposal for Council's consideration on a future Agenda.

In related matters, G-11b is a memo from Mr. Garrett advising that he would like to purchase from the City the 5-acre parcel west of the Fetterly Drain that was intended as part of the land trade for the park.

Resolution #2003-09-435

Moved by Pryor

Seconded by Eisenbacher

RESOLVED, That Resolution #2003-08-394, Moved by Stine and Seconded by Howrylak, as it appears below be **RECONSIDERED** by City Council:

RESOLVED, That Ladd's Real Estate & Development, the developers of the Oak Forest Subdivisions, shall **PROCEED** with development, if so desired, in accordance with all current state and local legislation and development standards pertaining to but not limited to wetlands, wetland mitigation or mitigation banking and onsite storm water detention.

Yes: Howrylak, Lambert, Stine, Beltramini

No: Eisenbacher, Pryor

Absent: Broomfield

Yes: Eisenbacher

No: Lambert, Stine, Beltramini, Broomfield, Howrylak

Absent: Pryor

MOTION FAILED

Vote on Resolution Regarding City Owned Property in Section 11

Resolution #2003-09-436

Moved by Howrylak

Seconded by Stine

RESOLVED, That City Council **DIRECTS** Staff to inform Mr. Dale E. Garrett of Ladd, Inc. that no property in Section 11, owned by the City of Troy, is for sale; and

BE IT FURTHER RESOLVED, That City Council **DIRECTS** Staff to reject all offers from developers for property owned by the City of Troy in Section 11.

Yes: Stine, Howrylak, Lambert

No: Beltramini, Broomfield, Eisenbacher

Absent: Pryor

MOTION FAILED

RECESS: 8:42 PM – 9:02 PM

D-2 Ordinance Amendments – Chapter 90, Animals-Three Year Dog License and Chapter 60, Fees and Bonds Required

Resolution #2003-09-437

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That the ordinance amendments to Chapters 60 and 90 are hereby **ADOPTED** as recommended by City Management, copies of these ordinances shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6

No: None

Absent: Pryor

PUBLIC COMMENT:

A. Items on the Current Agenda

E-9 Acceptance of Permanent Easements – Turner Site Condominiums – Sidwell #88-20-18-376-037 – Southeast ¼ of Section 18 – Project No. 02.942.3

Resolution #2003-09-438

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That Permanent Easements for Water Main, Sanitary Sewer, Storm Sewer, Detention Pond Access and Emergency Ingress/Egress for Police/Fire Protection from Paul J. Turner and Janice E. Turner, being part of Sidwell #88-20-18-376-037 are **ACCEPTED**; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said documents with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6

No: None

Absent: Pryor

E-12 First Baptist Church of Troy - Temporary Suspension of Chapter 47 – House Trailers

Resolution #2003-09-439

Moved by Stine

Seconded by Howrylak

RESOLVED, That the request from First Baptist Church, 2601 John R, for temporary suspension of Chapter 47, House Trailers, of the Code of the City of Troy, to permit placement and occupancy of an on-site motor home from October 18, 2003 through October 25, 2003, to serve as a residence for a visiting Pastor, is hereby **APPROVED**.

Yes: All-6

No: None

Absent: Pryor

F-10 Standard Purchasing Resolution 8: Best Value Process Award – 2004 Calendar / Annual Report Printing Services

Resolution #2003-09-440

Moved by Beltramini

Seconded by Stine

RESOLVED, That a contract for the 2004 City Calendar with an option to renew for two additional years is hereby **AWARDED** to University Lithoprinters, Inc., the lowest bidder with the highest score, as a result of a Best Value process which the Troy City Council determines as being in the public interest at an estimated annual cost of \$29,000.00, at unit prices contained in the bid tabulation opened August 20, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Lambert, Stine, Beltramini
No: Howrylak, Broomfield, Eisenbacher
Absent: Pryor

MOTION FAILED

**F-12 Final Site Condominium Review – Amherst on the River (FKA Turner) Site
Condominium – West Side of Beach Road – North of Wattles – Section 18 – R-1A**

Resolution #2003-09-441
Moved by Stine
Seconded by Broomfield

RESOLVED, That the Final Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Amherst on the River (FKA Turner) Site Condominium, located on the west side of Beach Road and north of Wattles, including 4 home sites, within the R-1A Zoning District, being 2.86 acres in size, is hereby **APPROVED**, as recommended by City Management.

Yes: All-6
No: None
Absent: Pryor

COUNCIL COMMENTS/COUNCIL REFERRALS

Proposed Code of Ethics

Mayor Pro Tem Lambert submitted the proposed Code of Ethics for discussion and research.

Resolution #2003-09-442
Moved by Broomfield
Seconded by Beltramini

RESOLVED, That City Council **DIRECTS** Staff to begin preparing information on a “Code of Ethics” for a Study Session agenda in October, 2003.

Yes: All-6
No: None
Absent: Pryor

B. Items Not on the Current Agenda

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2003-09-443

Moved by Beltramini

Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-9 and E-12 which were considered under Public Comment A..

Yes: All-6

No: None

Absent: Pryor

E-2 Minutes: Regular Meeting of August 18, 2003

Resolution #2003-09-443-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of August 18, 2003, be **APPROVED** as submitted.

E-3 City of Troy Proclamation:

Resolution #2003-09-443-E-3

RESOLVED, That the following City of Troy Proclamation be **APPROVED**:

a) Service Commendation – Brenda Wood Johnson

E-4 Waive Parking Restrictions – Northfield Parkway

Resolution #2003-09-443-E-4

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the No Parking restrictions on the east side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance of Boulan Park, on September 26, 2003, 7:00 PM – 11:00 PM, September 27, 2003, 9:00 AM – 5:00 PM, October 5, 2003, 7:00 PM – 11:00 PM, October 6, 2003, 9:00 AM – 9:00 PM.

E-5 Waive Parking Restrictions – Donaldson Street

Resolution #2003-09-443-E-5

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the No Parking restrictions on the west side of Donaldson Street from Square Lake Road to Cotswold Street,

on September 16, 2003, 6:15 PM – 9:00 PM; January 24, 2004, 10:00 AM – 4:00 PM; March 4, 2004, 1:00 PM – 9:00 PM; and June 11, 2004, 8:30 AM – 12:00 Noon.

E-6 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder Meeting Specifications – Stump Cutter With Trailer Less Trade-In

Resolution #2003-09-443-E-6

RESOLVED, That a contract to purchase one Stump Cutter Model SC 752 Less Trade-In is hereby **AWARDED** to the lowest acceptable bidder meeting specifications, Vermeer of Michigan, Inc., at an estimated net total cost of \$28,645.00, at prices contained in the bid tabulation opened June 17, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-7 Standard Purchasing Resolution 1: Award to Low Bidders – Volunteer Firefighter Uniforms

Resolution #2003-09-443-E-7

RESOLVED, That contracts to furnish two-year requirements of Fire Uniforms for the volunteer firefighters with an option to renew for two-one year periods are hereby **AWARDED** to the low bidders, Metropolitan Uniform Co., at unit prices contained in the bid tabulations opened June 19, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-8 Winter Maintenance Agreement – Road Commission for Oakland County

Resolution #2003-09-443-E-8

RESOLVED, That the Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for snow and ice control of certain primary and local roads in accordance with the provisions of 1951 PA 51, amended as described and outlined in Exhibit A, is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the necessary documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-10 Standard Purchasing Resolution 1: Award to Low Bidder – Painting at the Historical Village Green

Resolution #2003-09-443-E-10

RESOLVED, That a Contract to paint the exterior of the General Store, Print Shop and Troy Hall on the Historical Village Green is hereby **AWARDED** to the low bidder, Downriver Maintenance Corporation, at an estimated total cost of \$15, 885.00.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractors submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen,

such additional work is authorized in an amount not to exceed 10% of the total project cost. Additional clipboard will be replaced at \$3.75/inft, in accordance with the bid tabulation dated August 8, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-11 Standard Purchasing Resolution 4: State of Michigan Extended Purchasing Agreement – Optical Scanning Services

Resolution #2003-09-443-E-11

RESOLVED, That a contract to provide optical scanning services from Graphic Sciences is hereby **APPROVED** through the State of Michigan Extended Purchasing Program, not to exceed \$70,000.00, at unit prices contained on the contract pricing scheduled (Appendix I), a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-13 Private Agreement for South Blvd. – Water Main Extension – Project No. 03.506.3

Resolution #2003-09-443-E-13

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Abro Homes, LLC is hereby **APPROVED** for the installation of water main on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-14 Kibby v. City of Troy and Troy School District

Resolution #2003-09-443-E-14

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of Kirk Kibby and Nancy Kibby v. City of Troy and Troy School District and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (1) Mayoral Appointments: a) Downtown Development Authority; b) Economic Development Corporation; and c) Planning Commission (2) City Council Appointments: a) Advisory Committee for Senior Citizens; b) Animal Control; c) CATV Advisory Committee; d) Parks & Recreation Board; and e) Troy Daze; f) Troy Youth Council

(b) City Council Appointments

Resolution #2003-09-444
Moved by Lambert
Seconded by Howrylak

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee For Senior Citizens

Appointed by Council (9) – 3 years

Marie Hoag

Term expires 04-30-2006

Animal Control

Appointed by Council (5) – 3 years

Al Petrulis

Term expires 09-30-2006

Vincent James Viola

Term expires 09-30-2006

CATV Advisory Committee

Appointed by Council (7) – 3 years

Richard D. Minnick

Term expires 09-30-2006

Parks and Recreation Board

Appointed by Council (10) – 3 years

Merrill W. Dixon – Senior Representative

Term expires 09-30-2006

Orestes (Rusty) Kaltsounis

Term expires 09-30-2006

Troy Daze

Appointed by Council (9) – 3 years

Jeffrey Stewart

Term expires 09-30-2006

Troy Youth Council

Appointed by Council – 3 years

Emily Burns

Term expires 08-31-2004

Allister Chang

Term expires 08-31-2004

Chris Chang

Term expires 08-31-2004

Min Chong

Term expires 08-31-2004

Juliana D'Amico	Term expires 08-31-2004
Raymond Deng	Term expires 08-31-2004
Monika Govindaraj	Term expires 08-31-2004
Eric Gregory	Term expires 08-31-2004
Catherine Herzog	Term expires 08-31-2004
Maniesh Joshi	Term expires 08-31-2004
Andrew Kalinowski	Term expires 08-31-2004
Christina Krokosky	Term expires 08-31-2004
Matthew Michrina	Term expires 08-31-2004
Manessa Shaw	Term expires 08-31-2004
David Vennettilli	Term expires 08-31-2004
YuJing Wong	Term expires 08-31-2004

Yes: All-6
 No: None
 Absent: Pryor

**Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting
 Agenda Scheduled for September 22, 2003:**

(a) Mayoral Appointments

Downtown Development Authority

Mayor, Council Approval (13) – 4 years

Stuart Frankel - wishes to be reappointed	Term expires 09-30-2007
Clarke B Maxson - does not wish to be reappointed	Term expires 09-30-2007
Carol A Price - wishes to be reappointed	Term expires 09-30-2007

Economic Development Corporation**Mayor, Council Approval (9) – 6 years****Term expires 04-30-2009****Term expires 04-30-2009****Term expires 04-30-2009****Planning Commission****Mayor, Council Approval (9) – 3 years**

Amalfi Parker

Term expires 07-01-2004 (Student)**AND****(b) City Council Appointments****Troy Daze****Appointed by Council (9) – 3 years****Term expires 07-01-2004 (Student)****F-2 Closed Session**

Resolution #2003-09-445

Moved by Stine

Seconded by Broomfield

RESOLVED, That the City Council of the City of Troy **SHALL MEET** in Closed Session, as permitted by State Statute MCL 15.268(e): Berryman v. Troy, Castiglione v. Troy, after adjournment of this meeting.

Yes: All-6

No: None

Absent: Pryor

F-3 Designation of Voting Delegates at Annual NLC Meeting – Nashville, Tennessee

Resolution #2003-09-446

Moved by Broomfield

Seconded by Stine

RESOLVED, That Council Member Robin Beltramini is hereby designated as Voting Delegate and Council Member Martin Howrylak is hereby designated as the Alternate Voting Delegate to cast the vote of the City of Troy at the Annual Meeting of the National League of Cities to be held December 13, 2003 at Nashville, Tennessee.

Yes: All-6

No: None

Absent: Pryor

F-4 Petition Analysis – Paving of Philatha – SAD #03.101.1**(a) Standard Resolution #1**

Resolution #2003-09-447a

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Standard Resolution #1 be hereby **ADOPTED** to direct the preparation of plans and cost estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Philatha Street in Section 11, Project No. 03.101.1 all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

Yes: All-6

No: None

Absent: Pryor

AND**(b) Standard Resolution #2**

Resolution #2003-09-447b

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Standard Resolution #2 be hereby **ADOPTED** to approve plans and cost estimates for a Special Assessment to pay all or part of the cost of Asphalt Paving of Philatha Street in Section 11, Project No. 03.101.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Cod of the City of Troy.

Total Estimated Cost	\$59,541.63
Assessment (6.387 units @ \$3,038.730944 ea.)	\$19,408.37
City's Share	\$78,950.00

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED AND DIRECTED** to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

Yes: All-6
No: None
Absent: Pryor

AND

(c) Standard Resolution #3

Resolution #2003-09-447c
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Standard Resolution #3 be hereby **ADOPTED** to set a Public Hearing date on the Special Assessment Roll for Asphalt Paving of Philatha Street in Section 11, Project No. 03.101.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said Public Hearing to be established for Monday, October 6, 2003 at 7:30 pm.

Yes: All-6
No: None
Absent: Pryor

F-5 Standard Purchasing Resolution 1: Award to Low Bidder – Larayne, Hilmore & Philatha SAD Paving – Contract No. 03-4

Resolution #2003-09-448
Moved by Beltrami
Seconded by Stine

RESOLVED, That Contract No. 03-4, Larayne and Hilmore SAD Paving Project, be **AWARDED** to ADJ Excavating – 47301 Feathered Court – Shelby Township, Michigan 48315 at an estimated total cost of \$273, 418.66 **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required, such additional work is authorized in an amount not to exceed 10% of the total project cost.

BE IT FURTHER RESOLVED, That Alternate #1, Philatha Street SAD Paving Project, be **AWARDED** to ADJ Excavating – 47301 Feathered Court – Shelby Township, Michigan 48315 at an estimated total cost of \$51,634.00 **CONTINGENT** upon the approval of Resolutions #1, #2, #3 and #4 and the submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required, such additional work is authorized in an amount not to exceed 10% of the total project cost.

Yes: All-6
No: None
Absent: Pryor

F-6 Amendment #1 – Nagle Paving Co. – Parking Lot Maintenance Program

Resolution #2003-09-449

Moved by Eisenbacher

Seconded by Stine

WHEREAS, A contract to provide Parking Lot Maintenance was awarded to the low total bidder, Nagle Paving Company on May 5, 2003, at an estimated cost of \$247,560.00, and if changes in the quantity of work are required, either additive or deductive, such charges are authorized in an amount not to exceed 25% of the contract total per year (Resolution #2003-05-243-E-20); and

WHEREAS, The contract exceeded the additional 25% by \$2,060.10 due to the extremely poor condition of the existing parking lots, which required substantial increases in undercutting and base repair.

NOW, THEREFORE, BE IT RESOLVED, That the contract is hereby **AMENDED AND CONFIRMED** for additional parking lot repair at a total cost of \$2,060.10.

Yes: All-6

No: None

Absent: Pryor

F-7 Bid Waiver – Weed Mowing Contract

Resolution #2003-09-450

Moved by Howrylak

Seconded by Beltramini

WHEREAS, Williams Weed Mowing has been providing the City of Troy with weed mowing services for over 23 years; and

WHEREAS, Based upon past performance of this contractor, staff recommends awarding a three-year contract to Williams Weed Mowing for years 2004, 2005, and 2006 at the current rate;

NOW, THEREFORE, BE IT RESOLVED, That a contract with Williams Weed Mowing to provide weed mowing services is hereby **APPROVED** at the following rates expiring December 31, 2006, **CONTINGENT** upon contractor submission of proper insurance certificates:

LOT SIZE	RATE
¼ ACRE OR LESS	\$31.00
¼ - ½ ACRE	\$39.00
½ - ¾ ACRE	\$43.00
¾ - 1 ACRE	\$50.00
Acreage	\$50.00

BE IT FURTHER RESOLVED, That the charges to property owners for weed cutting services remain at the following current rates:

LOT SIZE	RATE
¼ ACRE OR LESS	\$48.00
¼ - ½ ACRE	\$56.00
½ - ¾ ACRE	\$61.00
¾ - 1 ACRE	\$67.00
Acreage	\$52.00/acre Plus \$15.00/acre Service Fee

Yes: All-6
 No: None
 Absent: Pryor

F-8 Additional Design Services for SE ¼ of Section 10 – Water Main Project No. 01.504.5

Resolution #2003-09-451
 Moved by Eisenbacher
 Seconded by Broomfield

RESOLVED, That the proposal submitted by Spalding DeDecker Associates, Inc. (SDA) is **APPROVED AND AUTHORIZATION** is hereby given to SDA to proceed with the additional design and survey of the water main replacement along with associated drainage improvements on Somerton, Sylvanwood, Trinway and Donaldson, Project No. 01.504.5, at an estimated cost to the City of Troy not to exceed \$74,500.00.

Yes: All-6
 No: None
 Absent: Pryor

F-9 Addendum No. 1 – Wattles & Dequindre Sanitary Sewer – Contract 03-1

Resolution #2003-09-452
 Moved by Stine
 Seconded by Beltramini

RESOLVED, That Addendum No. 1 to Contract No. 03-1 – Wattles and Dequindre Sanitary Sewer Extensions is hereby **APPROVED** to ADJ Excavating Inc. - 47310 Feathered Court - Shelby Township, MI 48315, at unit prices contained in the contract and in the addendum authorization, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the total amount authorized is \$224,626.83 and includes the previous authorized amount of \$169,090.30 plus 10% contingency as per the contract award resolution and the \$38,627.50 for Addendum 1.

Yes: All-6
 No: None
 Absent: Pryor

F-11 Reschedule Half-Day Workshop on Strategic Planning Process

Resolution #2003-09-453

Moved by Beltramini

Seconded by Stine

RESOLVED, That City Council **AUTHORIZES** the City Manager to reschedule the Strategic Planning Session for Saturday, October 25, 2003 with an **ALTERNATE DATE** of Friday, October 31, 2003 at the Fire-Police Training Facility – 4850 John R at 8:00 AM.

Yes: All-6

No: None

Absent: Pryor

F-13 “The Reflective Head” Donated by K-mart Corporation

Resolution #2003-09-454

Moved by Eisenbacher

Seconded by Howrylak

RESOLVED, That City Council **APPROVES** the donation of services and materials for the installation of “The Reflective Head” sculpture from Barton-Malow Rigging Co., J.M. Olson Corporation, and Rossetti and Associates, and **ACCEPTS** the donation of dollars from K-mart Corporation, Rossetti and Associates, and Redico for the installation of the sculpture.

Yes: All-6

No: None

Absent: Pryor

F-14 Amendments to the Drunk Driving Provisions of Chapter 106 of the City Code

Resolution #2003-09-

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That the ordinance amendment to Chapter 106 – Traffic Code is hereby **ADOPTED** as recommended by the City Attorney, a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Vote on Amendment

Resolution #2003-09-455

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Section 5.15(b) (5) of Chapter 106 shall be **AMENDED** to qualify the two-day time period as two business days.

Yes: All-6
No: None
Absent: Pryor

Vote on Amended Resolution

Resolution #2003-09-456
Moved by Beltrami
Seconded by Eisenbacher

RESOLVED, That the ordinance amendment to Chapter 106 – Traffic Code is hereby **ADOPTED** as recommended by the City Attorney, a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Section 5.15(b) (5) of Chapter 106 shall be **AMENDED** to qualify the two-day time period as two business days.

Yes: All-6
No: None
Absent: Pryor

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- a) Youth Council/Final – May 28, 2003
- b) Library Advisory Board/Final – June 12, 2003
- c) Youth Council/Final – June 18, 2003
- d) Employees' Retirement System Board Trustees/Final – July 9, 2003
- e) Library Board/Final – July 10, 2003
- f) Board of Zoning Appeals/Final – July 15, 2003
- g) Planning Commission/Final – July 22, 2003
- h) Troy Daze/Final – July 22, 2003
- i) Parks and Recreation Advisory Board/Draft – July 31, 2003
- j) Advisory Committee for Persons with Disabilities/Draft – August 6, 2003
- k) Building Code Board of Appeals/Draft – August 6, 2003
- l) Ethic Issues Advisory Board/Draft – August 12, 2003
- m) Planning Commission/Draft – August 12, 2003
- n) Planning Commission/Final – August 12, 2003
- o) Employees' Retirement System Board of Trustees/Draft – August 13, 2003
- p) Board of Zoning Appeals/Draft – August 19, 2003
- q) Library Board Minutes/Draft – August 21, 2003

Noted and Filed

G-2 Department Report(s):

- a) 2003 State Equalized Value
- b) Fall Development Report

Noted and Filed

G-3 Announcement of Public Hearings: None proposed

G-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Springfield Township Resolution Opposing House Bill No. 4919

Noted and Filed

G-5 Letters of Appreciation:

- a) Letter from Northfield Hills Condominium Association to Police Chief Craft Thanking Lt. Steve Zavislak for His Participation at Their Town Hall Meeting
- b) Letter from Natalie C. Zoufal to Police Chief Craft Thanking Him and His Department for Their Assistance and Sensitivity During a Very Difficult Situation
- c) Letter from Elizabeth Carey to the City of Troy Staff for Complimenting Them on the Service They Provided During the Blackout of 2003
- d) Letter from Dick Minnick to Cindy Stewart Thanking the Parks and Recreation and Water Departments for Their Exceptional Service
- e) Letter from Pamela J. Nelson to Tim Richnak Thanking Him for Assisting with Sam Lamerato's Participation at the CCG Systems, Inc. National Conference
- f) Letter to William Nelson from Judi Pilchowski, Thanking the Troy Fire Department for Their Service to the Community
- g) Thank you from Residents of Oakland Park Towers II Thanking the City of Troy Fire Department for their Assistance During the "2003 Blackout"
- h) Letter from Shiva Sastry to Tonni Bartholomew Congratulating Her on Her Recent Achievements and Complimenting the Clerk's Staff on Their Contribution as a Team
- i) Troy Public Library Comment Card from Kathleen Oloffo in Appreciation of the Festival of the Arts and a Special Appreciation from Her Children to Ann Cheng
- j) The Commission on "Chief Fire Officer Designation" Conferred Upon Fire Chief William S. Nelson August 20, 2003
- k) Letter from Food Bank of Oakland County to Cindy Stewart Thanking Her, and the City of Troy Employees and Residents for Making the Food Fight a Success
- l) Letter from Jeffrey J. DuPilka, President of West Shore Services, Inc., to Cindy Stewart in Recognition of the Fine Job She Did in the Relocation of the Buildings for the Troy Historic Village

Noted and Filed

G-6 Calendar

Noted and Filed

G-7 Memorandum, (Green) Re: Update #2 on Proposed I-75/Crooks/Long Lake Interchange Project

Noted and Filed

-
- G-8 Letter from L. Brooks Patterson – Oakland County Executive, Re: Jack Turner’s Two Year Appointment to the Oakland County Senior Advisory Council**

Noted and Filed

-
- G-9 Memorandum, Re: Youth Council’s Intent to Reduce Size**

Noted and Filed

-
- G-10 Memorandum, Re: City Council Resolution Regarding Rite Aid LCC Violations**

Noted and Filed

-
- G-11 Memorandum, (Green) a) Re: Council Rules of Procedure – Rule #10 – Reconsideration of Questions Amendment Proposal b) Letter from Dale E. Garrett, Re: Property Owned by City – Tax Parcel #20-11-201-003**

Noted and Filed

-
- G-12 Memorandum, (Green) Re: Assessment of Fees for Parks & Recreation Services to Outside Recreation Providers**

Noted and Filed

-
- G-13 Memorandum, Re: City of Troy Employees Retirement System – December 31, 2002 Actuarial Valuation**

Noted and Filed

PUBLIC COMMENT

The meeting adjourned at 11:12 PM

David A. Lambert, Mayor Pro Tem

Barbara A. Holmes, CMC
Deputy City Clerk

CORRECTED RESOLUTION:**STANDARD PURCHASING RESOLUTION 1**

RESOLVED, That contracts to furnish two-year requirements of Fire Uniforms for the volunteer firefighters with an option to renew for two-one year periods are hereby awarded to the low bidders, Metropolitan Uniform Co., Inc. and Allie Brothers, Inc. at an estimated total cost of \$12,000.00 per year, at unit prices contained in the bid tabulation opened June 19, 2003, a copy of which shall be attached to the original minutes of this meeting.

on September 16, 2003, 6:15 PM – 9:00 PM; January 24, 2004, 10:00 AM – 4:00 PM; March 4, 2004, 1:00 PM – 9:00 PM; and June 11, 2004, 8:30 AM – 12:00 Noon.

E-6 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder Meeting Specifications – Stump Cutter With Trailer Less Trade-In

Resolution #2003-09-443-E-6

RESOLVED, That a contract to purchase one Stump Cutter Model SC 752 Less Trade-In is hereby **AWARDED** to the lowest acceptable bidder meeting specifications, Vermeer of Michigan, Inc., at an estimated net total cost of \$28,645.00, at prices contained in the bid tabulation opened June 17, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-7 Standard Purchasing Resolution 1: Award to Low Bidders – Volunteer Firefighter Uniforms

Resolution #2003-09-443-E-7

RESOLVED, That contracts to furnish two-year requirements of Fire Uniforms for the volunteer firefighters with an option to renew for two-one year periods are hereby **AWARDED** to the low bidders, Metropolitan Uniform Co., at unit prices contained in the bid tabulations opened June 19, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-8 Winter Maintenance Agreement – Road Commission for Oakland County

Resolution #2003-09-443-E-8

RESOLVED, That the Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for snow and ice control of certain primary and local roads in accordance with the provisions of 1951 PA 51, amended as described and outlined in Exhibit A, is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the necessary documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-10 Standard Purchasing Resolution 1: Award to Low Bidder – Painting at the Historical Village Green

Resolution #2003-09-443-E-10

RESOLVED, That a Contract to paint the exterior of the General Store, Print Shop and Troy Hall on the Historical Village Green is hereby **AWARDED** to the low bidder, Downriver Maintenance Corporation, at an estimated total cost of \$15, 885.00.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractors submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen,

July 10, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Jeanette Bennett, Purchasing Director
Charles T. Craft, Chief of Police

SUBJECT: Standard Purchasing Resolution 5: Approval To Expend Budgeted Funds– Avondale Youth Assistance

APPROVAL TO EXPEND FUNDS

The Police Department requests approval to provide funding to the Avondale Youth Assistance during the 2003/2004 fiscal year at a cost to the City of Troy of \$2,210.00 to be paid in one installment.

HISTORY

The Avondale Youth Assistance will provide community services to Troy families residing within the Avondale School District in an effort to strengthen youth and families and reduce the incidence of delinquency, abuse and neglect.

BUDGET

The Police Department account #305.7802.104 has been designated for this funding.

September 4, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Jeanette Bennett, Purchasing Director
Charles Craft, Chief of Police

SUBJECT: Membership Renewal –
Macomb County Criminal Justice Training Consortium

RECOMMENDATION:

Last year, the Troy City Council approved the Police Department's membership in the Macomb County Criminal Justice Training Consortium at a cost of \$21, 235.00 (Resolution #2002-09531E6). The Police Department recommends approval of a one-year membership renewal at the cost of \$22,110.00, which reflects a \$10 increase per officer for the year.

BACKGROUND:

It is anticipated that the cost savings for this year will be equal to or greater than last year's savings by taking advantage of this program. Again, staff recommends continued re-certification of police officers in Emergency Vehicle Operations and the use of the state of the art Computerized Simulated Shooting Scenario System and Crime Lab.

BUDGET INFORMATION:

Funds for becoming members of this consortium have been budgeted for in the Police Department – Training account number 321.7960.

September 16, 2003

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
 John M. Lamerato, Assistant City Manager/Finance & Administration
 Gary A. Shripka, Assistant City Manager/Services
 Jeanette Bennett, Purchasing Director
 Carol Anderson, Parks and Recreation Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder –
 Big Beaver Landscape Project

RECOMMENDATION

City management recommends Troy City Council award the Big Beaver Landscape Project to the low bidder – Tom's Landscaping Inc., 4086 Rochester Rd., Troy, MI 48085, 248-689-4080, for an estimated cost of \$399,820.00, at prices contained in the attached bid tabulation for each complete Island, which were opened September 10, 2003.

The award is contingent upon contractor submission of properly executed bid documents including bonds, insurance certificates, and all other specified requirements.

In addition, staff requests authorization to approve additional plantings if needed, due to unforeseen circumstances at unit prices contained in the attached schedule of values, not to exceed 10% of the total project cost.

SUMMARY

Bids for the contract were opened September 10, 2003, with two companies submitting complete bids. Tom's Landscaping Inc. was the low bidder.

LOCATIONS TO BE LANDSCAPED

- Big Beaver medians from 1-75 to Rochester Rd.
- Rochester Rd. medians starting at I-75, north to Torpey
- Big Beaver Rights-Of-Ways, Coolidge to Adams

BUDGET

Funds are available to complete this project in the Major Road Fund Account #401479.7989.992075.

78 Vendors Notified on the MITN System

7 Vendor Walk-Ins

2 Bid Responses Rec'd

2 No Bids: (1) Company had time constraints.
 (1) Company could not meet specifications.

Prepared by: Ron Hynd, Landscape Analyst

Opening Date -- 9-10-03
Date Prepared -- 9/13/03

CITY OF TROY
BID TABULATION
BIG BEAVER LANDSCAPE PROJECT

ITB-COT 03-25
Pg. 1 of 2

VENDOR NAME:	* TOM'S LANDSCAPING INC	TORRE & BRUGLIO INC	
CHECK # :	#961921003	#20384419	
CHECK AMOUNT:	\$ 50,000	\$ 50,000	
PROPOSAL: ROW LANDSCAPING ON BIG BEAVER AND ROCHESTER ROADS			
Site #1	Location	COMPLETE FOR THE SUM OF:	COMPLETE FOR THE SUM OF:
	Big Beaver - I-75 to Rochester		
	Island A	\$ 12,314.00	\$ 14,049.00
	Island B	\$ 3,176.00	\$ 3,507.00
	Island C	\$ 475.10	\$ 529.00
	Island D	\$ 18,200.00	\$ 25,187.00
	Island E	\$ 22,642.00	\$ 31,444.00
	Island F	\$ 16,790.00	\$ 23,892.00
	Island G	\$ 6,052.75	\$ 8,323.00
	Island H	\$ 6,052.75	\$ 8,323.00
	Island I	\$ 16,931.00	\$ 25,391.00
	Island J	\$ 475.10	\$ 595.00
	Island K - West bed	\$ 17,718.00	\$ 25,029.00
	Island K - East bed	\$ 20,283.70	\$ 29,935.00
	Island L	\$ 10,150.00	\$ 13,979.00
	Island M - West bed	\$ 13,695.20	\$ 20,491.00
	Island M - East bed	\$ 15,005.00	\$ 22,370.00
	Island N	\$ 10,183.50	\$ 13,902.00
	Island O - West bed	\$ 21,908.50	\$ 32,435.00
	Island O - East bed	\$ 26,403.30	\$ 39,840.00
	Island P	\$ 18,614.00	\$ 27,506.00
	Island Q	\$ 34,380.00	\$ 47,368.00
	Island R	\$ 20,287.85	\$ 29,692.00
	Island S	\$ 10,658.00	\$ 14,438.00
Site #2	Location	COMPLETE FOR THE SUM OF:	COMPLETE FOR THE SUM OF:
	Rochester Road		
	Island T	\$ 4,847.00	\$ 5,862.00
	Island U	\$ 1,756.00	\$ 2,021.00
	Island V	\$ 4,206.00	\$ 5,750.00
	Island W	\$ 6,890.00	\$ 9,393.00
	Island X	\$ 1,004.00	\$ 1,279.00
	Island Y	\$ 2,347.00	\$ 2,523.00
	Island Z	\$ 10,565.00	\$ 14,464.00
	Island AA	\$ 9,750.00	\$ 11,717.00
Site #3	Location	COMPLETE FOR THE SUM OF:	COMPLETE FOR THE SUM OF:
	Bid Beaver ROW - Adams to Coolidge		
		\$ 36,058.00	\$ 38,208.00
GRAND TOTAL - ENTIRE PROJECT:	* \$	399,818.75	\$ 549,442.00
INSURANCE:			
Can Meet	XX	XX	
Cannot Meet			

VENDOR NAME:		* TOM'S LANDSCAPING INC	TORRE & BRUGLIO INC	
SCHEDULE OF VALUES:				
Attached -		YES	YES	
PAYMENT SCHEDULE:		NET 30 DAYS	MONTHLY BILLINGS, 30 DAY TERMS BASED ON JOB PROGRESS	
COMPLETION DATE:				
Can Meet		XX	XX	
Cannot Meet				
SITE INSPECTION:	Y/N	YES	YES	
DATE		9/4,9/8, 2003	9/3/03	
TWO FORMS SUBMITTED:				
Non-Collusion Affidavit	Y/N	YES	YES	
Legal Status of Bidder	Y/N	YES	YES	
TERMS:		Per Approved Payment	Per Approved Payment	
COMPLETION DATE:		29-Nov-2003	29-Nov-2003	
EXCEPTIONS:		BLANK	BLANK	

* DENOTES LOW BIDDER

NO BIDS:

Davey Tree & Lawn Co
Marine City Nursery Co

ATTEST:

Ron Hynd
Cheryl A Morrell
Linda Bockstanz

Jeanette Bennett
Purchasing Director



SCHEDULE OF VALUES

Your company **MUST** complete this form. The unit price shall include the labor cost to install the item.

Material	Size	Unit Cost Including Labor
Spiraea japonica 'Neon Flash'	1 gal.	\$ 6.85
Spiraea japonica 'Shirobana'	1 gal.	\$ 6.85
Acer platanoides 'Crimson King'	3" – 4"	\$ 470.00
Malus 'Excalibur'	2" – 3"	\$ 245.00
Malus 'Lancelot'	2" – 3"	\$ 245.00
Picea pungens (green form)	8' – 10'	\$ 295.00
Picea pungens	5' – 6'	\$ 140.00
Compost	cu. yd	\$ 30.00
Steel edging	10' joint	\$ 28.00
Mulch – double shredded hardwood	cu. yd.	\$ 34.00
Viburnum dentatum	5 gal.	\$ 34.00
Dwf. Daylily (mixed varieties)	6" pot	\$ 5.95
Celtis occidentalis	2 ½" (12' – 14')	\$ 360.00
Acer ginnala 'Betzam'	1 ¾" (6' – 8')	\$ 290.00
Other:		\$
		\$
		\$
		\$
		\$



Downloading History for ITB-COT 03-25 BB Landscap

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 9/13/2003.

Document Title:	Big Beaver Landscape Project
Date Issued:	8/22/2003
Close Date:	9/10/2003

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

<u>Acct #</u>	<u>Company Name</u>	<u>Service</u>	<u>Date Obtained Document</u>	<u>Date Obtained Amendments</u>
13870	A.G. Housey Company, Inc.	E-mail	8/27/2003	
10239	Advanced Irrigation Systems, Inc.	Fax	8/26/2003	
12306	Advanced Services Lawn and Landscape	E-mail	8/22/2003	
11191	Artistic Outdoor Services Inc.	E-mail		
12114	B & B Lawn Service	Fax		
10927	B & L Landscaping	Fax		
13835	Backer Landscaping, Inc.	Free	8/22/2003	
11631	Bowman Construction LLC	Free	8/22/2003	
10355	Brooks Landscaping, Inc	Fax	9/2/2003	
13928	Bush Wackers Inc.	Free	9/5/2003	
10682	C & R Maintenance d/b/a Rizzo Services	E-mail	9/9/2003	
13895	Cal Fleming Landscaping and Tree Service, Inc.	Free	8/25/2003	
13815	Corby Energy Services, Inc	E-mail	9/10/2003	
14019	Cornerstone Landscape Design, Inc.	E-mail	9/5/2003	
10840	Curb Appeal Plus, LLC	Free	8/25/2003	
11681	D and J Lawn and Snow Corp.	E-mail		
13953	Davey Commercial Grounds Management	Fax	9/5/2003	
12287	Demko Inc.	Free	8/24/2003	
12768	Diginet	E-mail	8/26/2003	
11857	Digital CogniSense, Inc.	Free	8/25/2003	

10121	Electrex Co Inc	Free	9/4/2003	
10050	Elite Lawn Irrigation	E-mail	8/29/2003	
10657	Envision Enterprises	E-mail	8/22/2003	
13905	Excell Landscaping	Free	9/8/2003	
11528	Fazal Khan & Assocaites	E-mail		
10091	Fitzgerald Henne & Associates	E-mail	9/4/2003	
11201	Fosmore Trucking and Maintenance	E-mail		
11444	Fudge Business Forms, Inc.	E-mail	8/22/2003	
11657	Giffels-Webster Engineers, Inc.	Free	8/26/2003	
10938	Great Lakes Landscaping & Construction Inc.	Fax		
13603	JB Maintenance	E-mail		
12606	KDS Landscape	Fax	8/27/2003	
13922	Kezco & Associates Landscaping Inc	Free	8/26/2003	
13464	Loch Le Monde Landscapes	Free	8/23/2003	
11353	M. C. Smith Associates and Architectural Grp, Inc.	E-mail	8/27/2003	
10884	Maged Contracting, Inc.	Fax		
11900	MARINE CITY NURSERY CO	Free	8/26/2003	
12054	Meriton International	E-mail		
11638	Michigan Playgrounds, Inc.	E-mail	8/29/2003	
11953	MichiSCAPE, Inc.	E-mail	9/7/2003	
12592	Midwestern Consulting, LLC.	Free	9/9/2003	
11639	Mike's Tree Surgeons, Inc.	E-mail		
13911	Mist-O-Matic, Inc.	Free	8/26/2003	
10426	Mt. Vernon Tree & Landscaping Inc.	E-mail		
14001	Mueller's sunrise Nursery, Inc.	Free	9/3/2003	
11828	National Block Company	Free	9/5/2003	
11073	Oscar W. Larson Co.	E-mail		
10203	Owen Tree Service, Inc.	E-mail	8/22/2003	
10061	Parks Landscaping & Snow Service	Free	9/5/2003	
10065	Payne Landscaping, Inc.	E-mail		
11072	Peltz Sodding, Inc.	Fax		
11344	Premium Seviles, Inc	E-mail		
10449	Pro Mow Lawn Services	Fax		
12670	Professioanl Engineering Associates	Free	8/29/2003	
10207	Rasins Landscape & Assoc., Inc.	E-mail		
11720	Rolar Property Services Inc.	E-mail	8/25/2003	
10401	Rumptz Landscape & Design	E-mail		
12936	SHERMAN NURSERY FARMS	E-mail	9/9/2003	
13730	SMART Management Group, LLC	E-mail		
12565	snows nursery	E-mail	9/13/2003	
13632	Spalding DeDecker Associates, Inc.	Free	8/29/2003	

13914	Steele's Service's LLC	E-mail	8/26/2003	
12181	T-III, LTd.	Free	9/5/2003	
13975	The Davey Co.	Free	9/9/2003	
11833	The Johnson Hill - Land Ethics Studio, Inc.	Fax		
13915	Tom's Landscaping & Nursery, Inc.	Fax	9/2/2003	
13602	Total Outdoor Services	E-mail		
13480	Tri-County Tree Expert Co., Inc.	E-mail	8/22/2003	
10658	Troy Clogg Landscape Assoc., LLC.	E-mail	8/25/2003	
10389	Trugreen Chemlawn/Trugreen Landcare	E-mail		
13019	Turfgrass Systems, LLC	E-mail		
13137	UltraLevel	Free	8/29/2003	
10285	United Lawnscape, Inc.	Fax	8/26/2003	
11851	Visual Image Exchange	Free	8/22/2003	
13999	Walltek, LLC	Free	9/3/2003	
10604	white excavating company inc.	Fax	9/2/2003	
14022	WILCOX BROS. LAWN SPRINKLERS	Free	9/7/2003	
12859	YTI Supply Inc.	Free	8/26/2003	

[Return to Main Menu](#)
[Return to Report Menu](#)



TO: Mayor and Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
DATE: September 16, 2003
SUBJECT: Inergy Automotive Systems v. City of Troy

Enclosed please find a copy of a lawsuit that was recently served on the City of Troy. In 2000, Inergy Automotive Systems acquired and occupied two adjacent buildings, located at 2565 and 2585 W. Maple Road in the City of Troy. These buildings are located in an industrially zoned area. The first building, 2565 W. Maple Road, is a 15,000 square foot two story office building constructed in 1954. The second building (28,000 square feet) was constructed in 1983, and had been used for research and development. In September 2002, Inergy Automotive Systems consolidated some of its operation and moved to the Big Beaver Business Park. Inergy vacated the building at 2565 W. Maple Road in mid-July 2003. Since that time, Inergy has been unsuccessful in their attempts to sell the property.

According to the allegations in the complaint, the building at 2565 W. Maple Road is unmarketable, due to Troy's zoning regulations. Specifically, since the property is located in an industrial area, any office use is limited to those that support a manufacturing or research and development main use. (Chapter 39, Section 28 of the Troy zoning ordinances). Inergy was compliant with the M-1 zoning ordinance, since the office building supported the permissible uses. However, Inergy now asserts that the enforcement of the City of Troy zoning ordinances is arbitrary, capricious, and an unreasonable exercise of police power which rises to the level of an unconstitutional taking of property. As an alternative, Inergy asserts that the construction of the building at 2565 W. Maple Road was completed prior to Troy's adoption of the zoning ordinances. As such, they argue that there is a right to continue to use the building as office, without any connection to other permitted M-1 uses.

Our office will defend the City absent objections from City Council. Please let me know if you have questions about this new lawsuit.

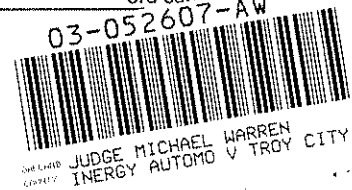
Approved, SCAO

STATE OF MICHIGAN
JUDICIAL DISTRICT
6th JUDICIAL CIRCUIT

SUMMONS AND COMPLAINT

Original - Court
1st copy - Defendant
2nd copy - Plaintiff
3rd copy - Court

03-052607-AW



Court address

1200 N. Telegraph Road, Pontiac, MI 48342

Plaintiff name(s), address(es), and telephone no(s).

INERGY AUTOMOTIVE SYSTEMS (USA), LLC, a
Delaware limited liability company
c/o Boris K. Yakima, esq.
40700 Woodward Avenue, Suite A
Bloomfield Hills, MI 48304
248-642-5770

v

Defendant name(s), address(es), and telephone no(s).

CITY OF TROY, a Michigan municipal
corporation
500 W. Big Beaver Road
Troy, Michigan 48064

Plaintiff attorney, bar no., address, and telephone no.

BORIS K. YAKIMA (P-22607)
40700 Woodward Avenue, Suite A
Bloomfield Hills, MI 48304
248-642-5770

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued SEP 15 2003	This summons expires DEC 15 2003	Court clerk G. WILLIAM CADDELL
------------------------------	--	--

*This summons is invalid unless served on or before its expiration date.

☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in _____ . The docket number and assigned judge are:

Docket no.	Judge	Bar no.
------------	-------	---------

The action ☐ remains ☐ is no longer pending.

VENUE

Plaintiff(s) residence (include city, township, or village) Troy, Oakland County, MI	Defendant(s) residence (include city, township, or village) Troy, Oakland County, MI
Place where action arose or business conducted Troy, Oakland County, MI	

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

September 15, 2003

Date

Signature of attorney/plaintiff

BORIS K. YAKIMA (P-22607)

COMPLAINT IS STATED ON ATTACHED PAGES. EXHIBITS ARE ATTACHED IF REQUIRED BY COURT RULE.

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

INERGY AUTOMOTIVE SYSTEMS (USA), LLC,
a Delaware limited liability company,

Plaintiff,

vs.

CITY OF TROY,
a Michigan municipal corporation,

Defendant.

Case



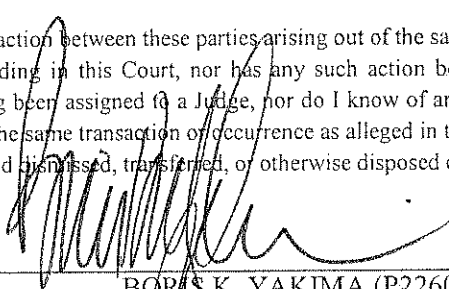
Hon. _____

SEP 16 2003 AM 11:07

BORIS K. YAKIMA (P22607)
Attorney for Plaintiff
MONAGHAN, LoPRETE, McDONALD,
YAKIMA, GRENKE & McCARTHY
40700 Woodward Avenue, Suite A
Bloomfield Hills, Michigan 48304
248-642-5770

COMPLAINT

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a Judge, nor do I know of any other civil action, not between these parties, arising out of the same transaction or occurrence as alleged in this Complaint, that is either pending or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a Judge in this Court.


BORIS K. YAKIMA (P22607)
Attorney for Plaintiff

NOW COMES Plaintiff INERGY AUTOMOTIVE SYSTEMS (USA), LLC, a Delaware limited liability company, and complains against Defendant CITY OF TROY, a Michigan municipal corporation, as follows:

1. Plaintiff INERGY AUTOMOTIVE SYSTEMS (USA), LLC (hereinafter "Inergy"), is a Delaware limited liability company established under the laws of the State of Delaware and authorized to do business within the State of Michigan, with principal offices in the City of Troy, County of Oakland, Michigan.
2. Defendant CITY OF TROY (hereinafter "City") is a Michigan municipal corporation established pursuant to the laws of the State of Michigan as a Home Rule City on June 13, 1955, whose principal office is in the City of Troy, County of Oakland, Michigan.

3. INERGY is the owner of real property situated in the City of Troy commonly known as 2565-2585 West Maple Road, Troy, Michigan, and further identified as Tax Identification No. 20-32-126-003 (hereinafter the "Property"). A legal description of the Property is attached hereto as **Exhibit A**. 2565 West Maple Road is currently improved with an approximately 15,000 square foot office building; 2585 West Maple Road is currently improved with a 28,000 square foot industrial building. Both buildings are free standing and neither are dependent upon the other for parking, ingress/egress, mechanical apparatus, or the like.

4. The Property is classified M-1 light industrial under the CITY'S zoning ordinance.

5. The Property was originally acquired as vacant land by a predecessor of INERGY prior to 1954. In 1954, INERGY's predecessor constructed a 15,000 square foot, 2-story office building on the Property (2565 West Maple Road). For the ensuing 30 years, the aforesaid building and the Property was used exclusively for office purposes by INERGY's predecessor.

6. In 1983, another predecessor of INERGY constructed a 28,000 square foot research and development building at the rear of the Property (2585 West Maple Road).

7. Through a series of acquisitions and mergers, INERGY became the owner and occupant of the Property (including both buildings) in 2000.

8. From its construction in 1954 thru 2002, the building located at 2565 West Maple Road has been used as an office building and because it was specifically designed and constructed as such, there exists no reasonable and economic alternative use for the building.

9. In September 2002, INERGY consolidated its office staff from various sites, including the building at 2565 West Maple Road, to a new location in the City of Troy known as the Big Beaver Business Park. INERGY continued using the building at 2565 West Maple Road until mid-July, 2003, and it is currently being marketed for sale.

10. The CITY, through its representatives and zoning officials, has represented to INERGY that pursuant to the CITY's interpretation of the zoning ordinance, the only permitted use of the building located at 2565 West Maple Road is limited to office use of a user/owner engaged in manufacturing.

11. Enforcement of the zoning ordinance in such a manner so severely restricts the number of available users so as to render the building unmarketable and has the effect of destroying the value of the building.

12. Enforcement of the zoning ordinance as aforesaid bears no direct nor substantial relationship to the preservation of public health, morals, safety, and general welfare, and is unreasonable when applied to the building located at 2565 West Maple Road.

13. Enforcement of the zoning ordinance as aforesaid is an unreasonable exercise of the CITY's police power so as to constitute arbitrary, destructive and confiscatory action constituting an unconstitutional taking of INERGY's property and property interests.

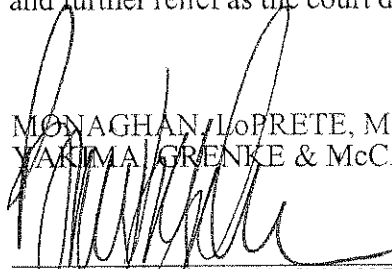
14. Construction and use of the building at 2565 West Maple Road exclusively for office purposes pre-dates the enactment of the CITY's zoning ordinance and, thus, at a minimum, INERGY (or any successor in interest) has a vested right to continue such use as a legal non-conforming use.

15. INERGY has no adequate remedy at law.

WHEREFORE, INERGY respectfully requests:

- A. That the City of Troy be restrained and enjoined by the order of this court from enforcing the zoning ordinance of the City of Troy, to the extent that an interpretation of said zoning ordinance could prohibit the use of the building at 2565 West Maple Road as a general office building;
- B. That the zoning ordinance be declared void as applied to the building at 2565 West Maple Road; or
- C. That Plaintiff have such other and further relief as the court deems equitable and just.

MONAGHAN, LOPRETE, McDONALD,
YAKIMA, GRENKE & McCARTHY


BORIS K. YAKIMA (P22607)
Attorney for Plaintiff
40700 Woodward Avenue, Suite A
Bloomfield Hills, Michigan 48304
248-642-5770

Dated: September 15, 2003.

EXHIBIT A

Legal Description of the Property

Land situated in the City of Troy, County of Oakland, State of Michigan, described as:

West 5 acres of the East 28 acres of the North 60 acres of the Northwest one-quarter of Section 32, Town 2 North, Range 11 East, Oakland County, Michigan, more particularly described as follows: Beginning at a point in the centerline of East Maple Road, said centerline also being the North line of Section 32, said point lying due West 1012.61 feet measured along the North line of said Section 32 from the North one-quarter corner of Section 32, Town 2 North, Range 11 East; thence South 00 degrees 06 minutes West, 989.60 feet to a point; thence due West on a line South of and parallel to the North line of Section 32, 220.00 feet to a point; thence North 00 degrees 06 minutes East, 989.60 feet to a point on the North line of Section 32; thence due East along the North line of Section 32, 220.00 feet to the point of beginning, excluding therefrom the Southerly 570 feet thereof.

The Southerly 570 feet of the following described parcel: West 5 acres of the East 28 acres of the North 60 acres of the Northwest one-quarter of Section 32, Town 2 North, Range 11 East, Oakland County, Michigan, more particularly described as follows: Beginning at a point in the centerline of East Maple Road, said centerline also being the North line of Section 32, said point lying due West 1012.61 feet measured along the North line of said Section 32 from the North one-quarter corner of Section 32, Town 2 North, Range 11 East; thence South 00 degrees 06 minutes West, 989.60 feet to a point; thence due West on a line South of and parallel to the North line of Section 32, 220.00 feet to a point; thence North 00 degrees 06 minutes East, 989.60 feet to a point on the North line of Section 32; thence due East along the North line of Section 32, 220.00 feet to the point of beginning.

Commonly Known As:	2565-2585 West Maple Road, Troy, Michigan.
Tax Identification No.:	20-32-126-003



TO: Mayor and Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney
DATE: September 16, 2003
SUBJECT: City of Troy v. Ann Stromar, et. al

As part of the John R. sidewalk project, the City initiated efforts to acquire 60 feet of a parcel frontage at 5470 John R. Rd. in the City of Troy. Mrs. Maude Eyster was the record titleholder of this property. According to the title records, it appears that Mrs. Eyster unsuccessfully attempted to convey this 60-foot parcel of property to the City of Troy for potential road expansions. Although the 60 feet was to be dedicated to the City, and therefore expressly excluded from the purchase of the Eyster home, the owner of the home, Mrs. Ann Stromar, claimed title to the 60 feet under the principles of adverse possession. Therefore, the City initiated a condemnation action and an action to quiet title against the heirs of Maude Eyster and Mrs. Stromar.

The Oakland County Circuit Court Judge recently ruled in favor of Mrs. Stromar, and determined that she acquired the 60-foot strip of property through adverse possession. As a result, Mrs. Stromar was entitled to just compensation for the City's acquisition of the 60-foot strip of property. Fortunately, the Court simultaneously granted the City's motion for dismissal of the condemnation action, and ordered the City to pay the amount of our initial offer to Mrs. Stromar. This offer totaled \$20,268, and was based on our appraisal of the property. This ruling is significant, because the City is not required to reimburse any expenses of the lawsuit, including attorney fees. The City will only need to pay interest on \$20,628 from the date of filing the condemnation action.

Attached is a copy of the court order that finalizes the case. In addition, we have prepared a resolution authorizing payment in the amount of \$21,906.37 for your consideration. If you have any questions, please let us know.

STATE OF MICHIGAN

OAKLAND COUNTY CIRCUIT COURT

CITY OF TROY, a Michigan
municipal corporation,

Plaintiffs,

v.

VICTOR S. STROMAR, ANN R. STROMAR,
husband and wife; MARK TURPEN, DAVID
KOETHER, MARY M. BALLARD, OAKLAND
COUNTY, and MICHIGAN BELL TELEPHONE CO.
d/b/a AMERITECH,

Defendants.

02-042933-cc



JUDGE JOHN J. MCDONALD
TROY CITY V STROMAR, VICT

City of Troy – City Attorney's Office
Lori Grigg Bluhm (P46908)
Allan T. Motzny (P37580)
Attorney for Plaintiffs
500 W. Big Beaver Road
Troy, MI 48084
(248) 524-3320

Frederick S. Prost (P19117)
Attorney for Defendants, Turpen,
Ballard, and Koether
3250 W. Big Beaver Rd., Ste. 342
Troy, MI 48084
(248) 649-6110

Richard J. Poehlman (P18964)
Attorney for Defendant Stromar
30101 Northwestern Highway, Ste. 200
Farmington Hills MI 48334
(248) 851-6111

Donald F. Slavin (P20575)
Attorney for Defendant Oakland County
1200 N Telegraph Rd
Pontiac MI 48341-0419
(248) 848-0554

Albert Calille (P26819)
Attorney for Defendant Ameritech
444 Michigan Ave., Room 1750
Detroit, MI 48226
(313) 223-0964

ORDER GRANTING MOTION FOR SUMMARY DISPOSITION

At a session of said Court
held in the Courthouse in the
City of Pontiac, Oakland County, MI
on: SEP 16 2003

PRESENT: HONORABLE JOHN J. MCDONALD, CIRCUIT JUDGE

This matter came before the Court on the motion of Defendant Ann R. Stromar requesting that any compensation pursuant to the condemnation and taking of the subject property by the City of Troy be paid to her on the basis she had previously acquired the property by adverse possession and upon the request of Plaintiff City of Troy that the final amount of just compensation be determined to be \$20,628; the court decided to grant both the motion of Defendant Ann R. Stromar and the request of Plaintiff City of Troy for reasons stated on the record at the hearing held on September 10, 2003; now, therefore,

IT IS ORDERED:

1. Defendant Ann R. Stromar's Motion for Summary Disposition is granted.
2. The request of Plaintiff City of Troy for Summary Disposition pursuant to MCR 2.116(I)(2) is granted.
3. Title to the property, which is the subject of this cause of action and which is fully described in the Complaint for Acquisition of Property and Declaration of Taking filed with this court on August 7, 2002, has vested in the Plaintiff by virtue of filing of the Complaint for Acquisition of Property and Declaration of Taking and entry on September 4, 2002 of this Court's order regarding Payment of Estimated Compensation and Surrender of Possession.
4. Plaintiff City of Troy shall pay Defendant Ann R. Stromar just compensation in the amount of \$20,628, plus statutory interest on said amount from and after August 7, 2002 in accordance with the provisions of Section 15 of the Uniform Condemnation Procedures Act, MCL 213.65.

5. Pursuant to the provisions of 1931 PA 270, as amended, MCL 213.291, any amounts due as delinquent taxes or assessments, if any, shall be deducted by Plaintiff prior to payment of the sums set forth in the previous paragraph.

6. Pursuant to the provisions of Section 2 of the General Property Tax Act, being 1893 PA 206, as amended, MCL 211.2, taxes paid or deducted shall be prorated, on a due date basis and adjusted proportionately for the amount of the partial acquisition, and an appropriate adjustment shall be made in the amount paid or withheld pursuant to this judgment.

7. No attorney fees or expert witness fees are awarded.

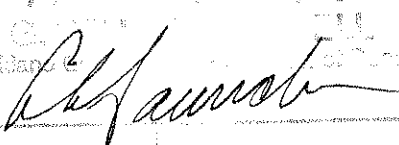
8. The payee in all instruments of payment drawn pursuant to this order for just compensation and interest shall be Ann R. Stromar.

9. Upon payment by Plaintiff of the sums aforesaid herein, any and all claims of Defendants which have been asserted or which could have been asserted against Plaintiff arising out of the taking of the subject property or by reason of any other claims for damages which could or may have been asserted by reason of the commencement of the instant proceedings shall be forever barred.

10. This judgment resolves the last pending claims and closes the case.

JOHN J. McDONALD

Circuit Judge

By 
 Ann R. Stromar
 Plaintiff

Approved as to form for entry:

Allan Motzny

Allan T. Motzny (P37580)
Attorney for Plaintiffs

Richard J. Poehlman w/consent by fax on 9/12/03

Richard J. Poehlman (P18964)
Attorney for Defendant Stromar

Frederick S. Prost w/consent by telephone 9/15/03

Frederick S. Prost (P19117)
Attorney for Defendants, Turpen,
Ballard, and Koether

Donald F. Slavin w/consent by telephone 9/12/03

Donald F. Slavin (P20575)
Attorney for Defendant Oakland County

Albert Calille w/consent by telephone 9/12/03

Albert Calille (P26819)
Attorney for Defendant Ameritech (SBC)

September 15, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
Douglas Smith, Real Estate & Development Director
Larysa Figol, Right of Way Representative

RE: Request for Acceptance of Conditioned Purchase Offer for Maple Road/Coolidge to Crooks Watermain and Sidewalk Project
#01.501.5 – Russ & Russ, L.L.C., 1925 West Maple,
Sidwell #88-20-32-226-026

As part of the Maple Road/Coolidge to Crooks Watermain and Sidewalk Project, an agreement has been reached with Russ & Russ, L.L.C. to purchase 27 feet of right of way in addition to 33 feet of existing road way at 1925 West Maple. This property is located in Section 32 on the south side of Maple just west of Crooks.

Based on an appraisal prepared by Thomas H. Chuba and Kenneth A. Blondell of Integra Realty Resources, and a review prepared by Kimberly Harper, Deputy City Assessor, management believes that the appraised value of \$64,000.00 is justifiable. The property is zoned M-1 and the compensation is for both 27 feet of real property and land improvements.

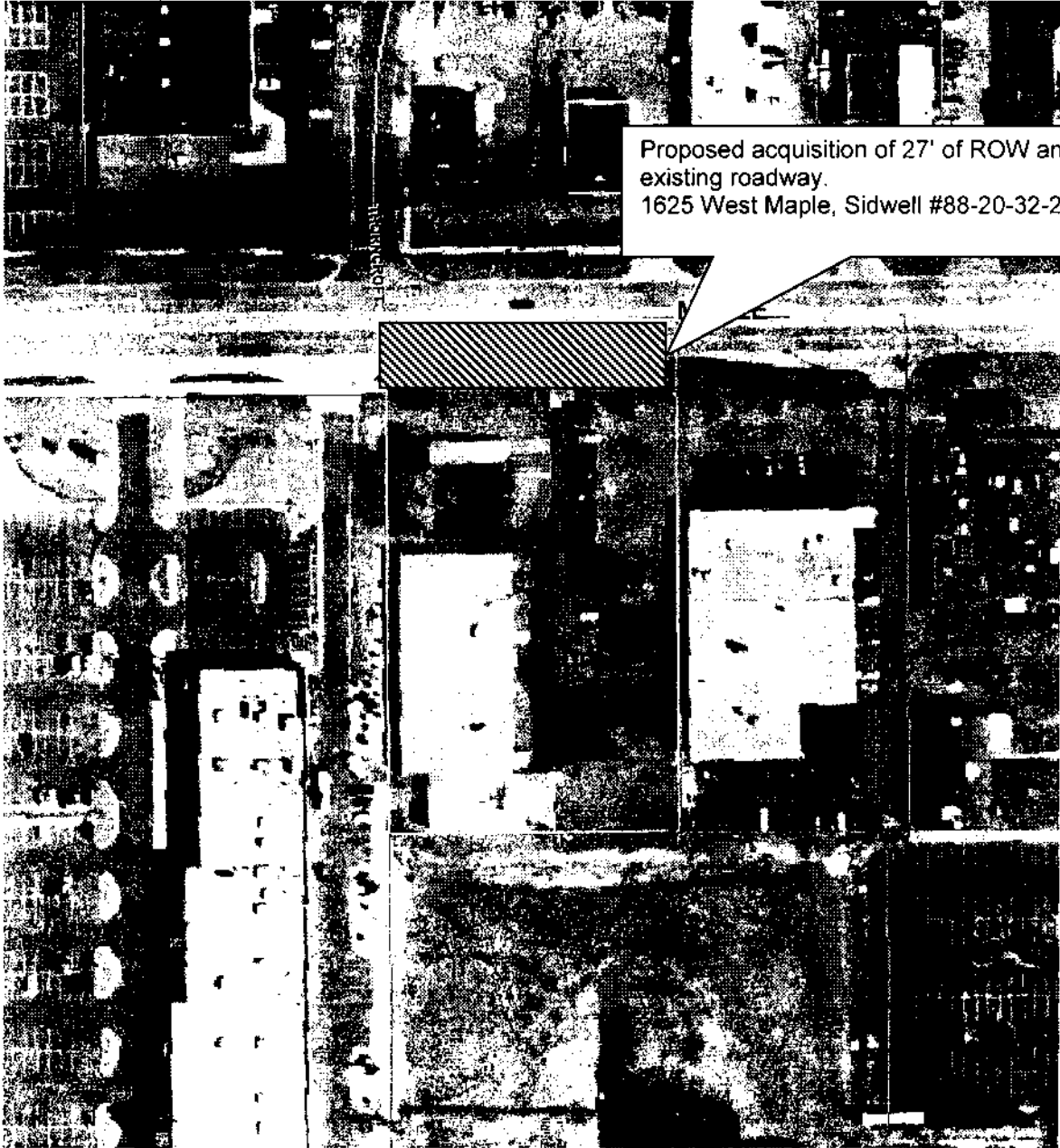
In order for the City to proceed with this project, management requests that City Council approve the attached conditioned purchase agreement in the amount of \$64,000.00, plus closing costs. Funding for this project will come from the Watermain Fund.

Proposed ROW Acquisition
1925 West Maple
Sidwell #88-20-32-226-026
Russ & Russ, L.L.C.



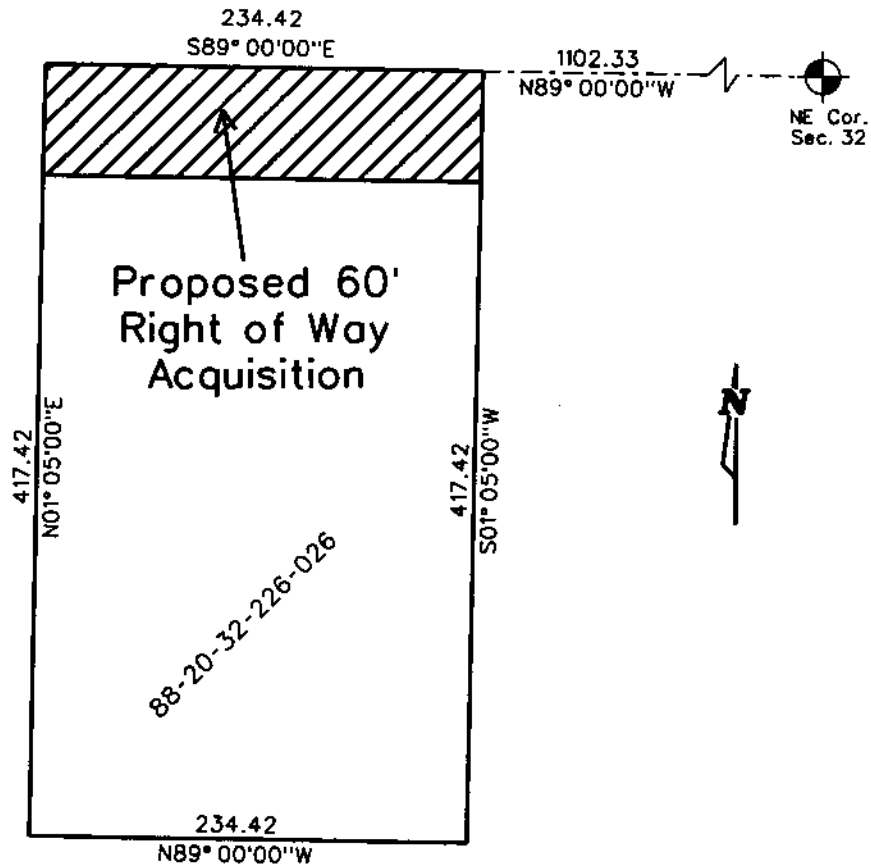
Proposed acquisition of 27' of ROW and 33' of existing roadway.
1625 West Maple, Sidwell #88-20-32-226-026

Proposed ROW Acquisition
1925 West Maple
Sidwell #88-20-32-226-026
Russ & Russ, L.L.C.



Proposed acquisition of 27' of ROW and 33' of
existing roadway.
1625 West Maple, Sidwell #88-20-32-226-026

1925 W. Maple Rd.



G:\Surveying\GEORGE\Easement Drawings\88-20-32-226-026.dgn

DOCUMENT PREPARED BY
George J. Ballard III
CITY SURVEYOR

DATE REV.
CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
1925 W. Maple Proposed R/W Acquisition Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=100'	NAME GJB III	NAME	See Below
VER.	DATE 5-9-03	DATE	VIEW
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 1	JOB No. 01.501.5

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Russ & Russ, LLC, a Michigan Limited Liability Company, (the "Seller"), the following described premises (the "Property"):

Part of the Northeast ¼ of Section 32, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. More particularly described as follows:
Commencing at the Northeast corner of said section 32; thence North 89 degrees 00 minutes 00 seconds West, along the north line of said section, 1102.33 feet to the Point of Beginning; thence South 01 degrees 05 minutes 00 seconds West 60.00 feet; thence North 89 degrees 00 minutes 00 seconds West 234.42 feet; thence North 01 degrees 05 minutes 00 seconds East 60.00 feet to the north line of said section, thence South 89 degrees 00 minutes 00 seconds East, along said north line, 234.42 feet to the Point of Beginning. Containing 14,065 square feet or 0.323 acres, more or less. The North 33.00 feet of which is currently being used for roadway purposes.

for a public project within the City of Troy and to pay the sum of Sixty Four Thousand Dollars and no/cents (\$64,000.00) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing; including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title assurance information to the Buyer, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.

6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.

7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.

8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.

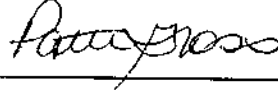
9. Seller grants to Buyer temporary possession and use of the property commencing on this date and continuing to the date of closing in order that the Buyer may proceed with the public project.

10. Additional conditions, if any:

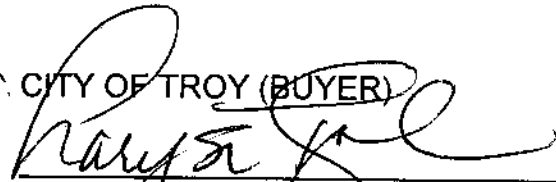
SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 11 day of SEPTEMBER, A.D. 2003.


In presence of:



CITY OF TROY (BUYER)


LARISSA FIGOR

SELLER: Sidwell#88-20-32-226-026
Russ & Russ, LLC
A Michigan Limited Liability Company


Rosario Badalamenti,
Managing Member

Friday, May 9, 2003

Section 32, Part of the NE 1/4
Parcel: 88-20-32-226-026
Owner: Russ & Russ LLC
Address: 1925 W. Maple Road


Description of Proposed 60 Feet R/W Acquisition:

Part of the Northeast ¼ of Section 32, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. More particularly described as follows:
Commencing at the Northeast corner of said section 32; thence North 89 degrees 00 minutes 00 seconds West, along the north line of said section, 1102.33 feet to the Point of Beginning; thence South 01 degrees 05 minutes 00 seconds West 60.00 feet; thence North 89 degrees 00 minutes 00 seconds West 234.42 feet; thence North 01 degrees 05 minutes 00 seconds East 60.00 feet to the north line of said section, thence South 89 degrees 00 minutes 00 seconds East, along said north line, 234.42 feet to the Point of Beginning. Containing 14,065 square feet or 0.323 acres, more or less. The North 33.00 feet of which is currently being used for roadway purposes.

File: H:\Descriptions\Property Descriptions\88-20-32-226-026

September 16, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer 

SUBJECT: Private Agreement for River Bend Condominiums
Project No. 01.949.3

The Engineering Department has reviewed and approved plans for this project, which includes water main, storm sewer, detention, sanitary sewer, sidewalks, landscaping, soil erosion and paving.

The Owner has provided a Letter of Credit for escrow and cash fees in the amount of the estimated cost of public improvements, as required.

Approval is recommended.

G:\Projects\Projects - 2001\01.949.3 Riverbend Condominiums\Private Agreement Cover Letter.doc

CC: Tonni Bartholomew, City Clerk (Original Agreement)
James Nash, Financial Services Director
Carol Anderson, Director of Parks and Recreation
Mark Miller, Planning Director
Nino Licari, City Assessor
Timothy Richnak, Director of Public Works
William Jawlik, Inspector Supervisor.
Harrington Park Development, L.L.C.

Prepared by: G. Scott Finlay, PE
Civil Engineer

Enclosed: Private Agreement, Detailed Summary, Sketch, and Suggested Resolution

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 01.949.3RESOLUTION NO. PROJECT LOCATION: NE ¼ SECTION 15DATE OF COUNCIL APPROVAL:

KNOW ALL MEN BY THESE PRESENT; That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Harrington Park Development LLC whose address is 50215 Schoenherr, Shelby Twsp. MI 48315 and whose telephone number is 586-726-1930 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of water main, storm sewer, detention, sanitary sewer, sidewalks, soil erosion, landscaping and paving in accordance with plans prepared by Civil Concepts & Designs whose address is 48137 Van Dyke, Utica, MI 48317 and whose telephone number is (586)731-1659, and approved prior to construction by the City specifications of the City shall be complied with for this construction.

SECOND: That the Owners agree to contribute the approximate contract price of \$187,166.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

Cash	<input type="checkbox"/>
Certificate of Deposit	<input type="checkbox"/>
Irrevocable Bank Letter of Credit	<input checked="" type="checkbox"/>
Check	<input type="checkbox"/>
Performance Bond	<input type="checkbox"/>

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the owner by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. . In addition, the owners agree to contribute \$33,857.00 cash fee per the attached **Detailed Summary of Required Escrow Deposits and Cash Fees.**

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 01.949.3

PROJECT LOCATION:

NE ¼ SECTION 15

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

THIRD: THE OWNERS MAY CONTRACT FOR CONSTRUCTION OF SAID IMPROVEMENT OR MAY HAVE THE CITY ADVERTISE FOR BIDS. IN THE EVEN THE OWNERS SELECT THEIR OWN CONTRACTOR, SUCH CONTRACTOR SHALL BE SUBJECT TO PRIOR WRITTEN APPROVAL BY THE CITY AND COMPLETED CONTRACT DOCUMENTS SHALL BE SUBMITTED TO THE CITY. OWNERS AGREE TO ARRANGE FOR A PRE-CONSTRUCTION MEETING WITH THE CITY ENGINEER AND THE CONTRACTOR PRIOR TO START OF WORK. ALL MUNICIPAL IMPROVEMENTS MUST BE COMPLETELY STAKED IN THE FIELD UNDER THE DIRECT SUPERVISION OF A REGISTERED CIVIL ENGINEER OR REGISTERED LAND SURVEYOR, ACCORDING TO THE APPROVED PLANS.

FOURTH: OWNERS HEREBY ACKNOWLEDGE THE BENEFIT TO THEIR PROPERTY CONFERRED BY THE CONSTRUCTION OF THE AFOREMENTIONED AND AGREE AND CONSENT TO PAY THE TOTAL SUM OF \$ 221,023.00 FOR THE CONSTRUCTION OF SAID PUBLIC UTILITIES IN LIEU OF THE ESTABLISHMENTS OF ANY SPECIAL DISTRICT BY THE CITY. FURTHER, OWNERS ACKNOWLEDGE THAT THE BENEFIT TO THEIR PROPERTY CONFERRED BY THE IMPROVEMENT IS EQUAL TO, OR IN EXCESS OF, THE AFOREMENTIONED AMOUNT.

FIFTH: OWNERS AGREE THAT IF, FOR ANY REASON, THE TOTAL COST OF COMPLETION OF SUCH IMPROVEMENT SHALL EXCEED THE SUM DEPOSITED WITH THE CITY IN ACCORDANCE WITH PARAGRAPH SECOND HEREOF, THAT OWNERS WILL IMMEDIATELY REMIT SUCH ADDITIONAL AMOUNT TO THE CITY UPON REQUEST AND CITY WILL DISBURSE SUCH ADDITIONAL AMOUNT IN ACCORDANCE WITH PARAGRAPH SECOND HEREOF. IN THE EVENT THE TOTAL COST OF COMPLETION SHALL BE LESS THAN THE SUM DEPOSITED WITH CITY IN ACCORDANCE WITH PARAGRAPH SECOND HEREOF, CITY WILL REIMBURSE TO THE OWNERS THE EXCESS FUNDS REMAINING AFTER DISBURSEMENT OF FUNDS.

SIXTH: OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS CITY, THEIR AGENTS AND EMPLOYEES, FROM AND AGAINST ALL LOSS OR EXPENSE (INCLUDING COSTS AND ATTORNEYS' FEES) BY REASON OF LIABILITY IMPOSED BY LAW UPON THE CITY, ITS AGENTS AND EMPLOYEES FOR DAMAGES BECAUSE OF BODILY INJURY, INCLUDING DEATH, AT ANY TIME RESULTING THEREFROM SUSTAINED BY ANY PERSON OR PERSONS OR ON ACCOUNT OF DAMAGE TO PROPERTY, INCLUDING WORK, PROVIDED SUCH INJURY TO PERSONS OR DAMAGE TO PROPERTY IS DUE OR CLAIMED TO BE DUE TO NEGLIGENCE OF THE OWNER, HIS CONTRACTOR, OR SUBCONTRACTORS, EMPLOYEES OR AGENTS, OWNER FURTHER AGREES TO OBTAIN AND CONVEY TO THE CITY ALL NECESSARY EASEMENTS FOR SUCH PUBLIC UTILITIES AS REQUIRED BY THE CITY ENGINEER.

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 01.949.3

RESOLUTION NO.

PROJECT LOCATION:

NE ¼ SECTION 15

DATE OF COUNCIL APPROVAL:


IN WITNESS WHEREOF, THE PARTIES HERETO HAVE CAUSED THIS AGREEMENT TO BE EXECUTED IN DUPLICATE ON
THIS 12TH DAY OF SEPTEMBER, 2003

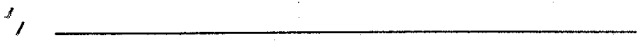
OWNERS

CITY OF TROY

By:

By:


Joseph Maniaci, Member
Harrington Park Development L.L.C.



Matt Pryor, Mayor

Please Print or Type


Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 12th day of September, A.D. 2003, before me personally appeared _____ known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.


ELIZABETH T. DIMARTINO

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: _____

ELIZABETH T. DIMARTINO
Notary Public, Oakland County, MI
Acting in Macomb Co., MI
My Commission Expires 03/01/2007

Detailed Summary of Required Escrow Deposits, Cash Fees & Deposits
River Bend Site Condominiums - Project No. 01.949.3
10 Units - Section 15

ESCROW DEPOSITS:

Sanitary Sewers	\$30,912
Water Mains	\$29,640
Storm Sewers	\$39,887
Pavement - CONCRETE	\$46,405
Grading	\$5,000
Detention Basin	\$5,000
Soil Erosion Control Measures	\$467
Monuments and Lot Corner Irons	\$440
Temporary Access Road	\$1,500
Major Road Improvements (other than decel or passing lanes)	\$6,565
Sidewalks - ON SITE	\$8,550
Sidewalks - OFF SITE	\$1,800
Deposit for the Repair of Damage to Existing Public Streets Used for Access	\$6,000
Wetland Protection & Cleanup	\$5,000
TOTAL ESCROW DEPOSITS:	\$187,166

CASH FEES (NON-REFUNDABLE):

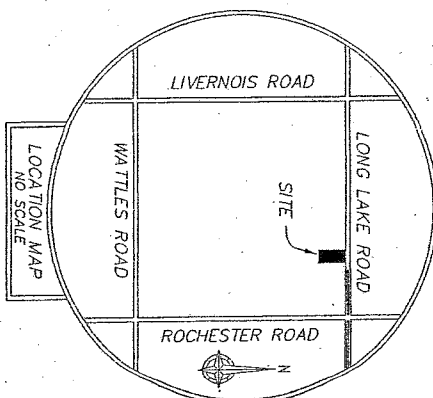

Water Main Testing and Chlorination	\$650
Street Name and Traffic Signs	\$382
Maintenance of Detention Basin	\$3,340
Soil Erosion and Sedimentation Control Permits	\$468
Testing Services	\$2,807
Engineering Review and Inspection	\$14,243
TOTAL CASH FEES (NON-REFUNDABLE):	\$21,890

CASH DEPOSITS (REFUNDABLE):

Sidewalk Closures	\$324
Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	\$2,000
Landscape Deposit	\$6,905
Punchlist & Restoration Deposit	\$2,738
TOTAL CASH DEPOSITS (REFUNDABLE):	\$11,967

Stormwater detention for this development will be provided by:
a new detention basin on site

Engineer: Civil Concepts & Designs, Inc.
Developer: Harrington Park Development, L.L.C.

[illegible]

BECKENHOLMERS)
 BM #1: NORTHWEST CORNER OF DOOR BEL FRONT
 DOOR # @ 900 LONG LAKE ROAD. ELEV. = 988.42
 BM #2: NORTHWEST CORNER OF CONCRETE DRIVE @
 SOUTH FLO OF GARAGE @ 5027 SANDY CREEK. ELEV.
 = 692.86
 BM #3: ARROW ON HYDRAUNT 27W EAST OF WEST
 PROPERTY LINE 12 OFF LONG LAKE ROAD. ELEV. =
 673.27

SHEET 1-40	DATE:	PROJECT NO.
HORIZ. 1-40	VERT. 1-40	PAGE: NEW
CUSTOMER: J.B. DUNN JR.	DRAWING BY: GREGORY B. DODD	
WALL	M.A.O.	SHEET NO. 2
RIVER BEND CONDOS GENERAL PLAN		

September 15, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Acceptance of Permanent Easement for
Storm Sewer & Abandonment of Old Easement Over
Troy School District Property in Section 5
Sidwell #88-20-05-300-002

In connection with a pending sale and development of property in the southwest ¼ of Section 5, the Real Estate and Development Department has acquired a permanent easement for storm sewer from Troy School District. The consideration amount on the document is \$1.00. The school district had previously dedicated a storm sewer easement in 1982 over their entire 41.42 acre parcel. That document includes a condition that if any part of this parcel is developed and a new easement that is adequate to accommodate the flow of storm water is granted, the original easement will be extinguished. Our Engineering Department reviewed the original easement and provided a legal description of the area required for the new easement.

In order for the Troy School District to proceed with the sale of their property, we recommend that City Council accept the attached permanent easement from Troy School District and abandon the easement that is recorded in Liber 8213, Page 222 of Oakland County Records.

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT made and entered into this 16th day of September, 2003, between TROY SCHOOL DISTRICT, a Michigan municipal corporation, whose address is 4400 Livernois, Troy, Michigan 48098-4799 (hereinafter referred to as "Grantor"), and the CITY OF TROY, a Michigan municipal corporation, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 (hereinafter referred to as "Grantee").

RECITALS

A. The Grantor is the owner of certain real property described in Exhibit A under the heading of "Legal Description", which is attached hereto and incorporated by reference (the "Premises"); and

B. In 1982, Grantor granted to Grantee an Easement and Right of Way for the purpose of constructing, installing, servicing, maintaining, repairing and/or replacing storm sewers in an Agreement entitled "Easements for Sanitary Sewer and Storm Drainage Facilities", recorded in Liber 8213, Page 222.

C. The 1982 Easement provided Grantee an easement over the entire parcel of real property described in Exhibit A.

D. The parties mutually agree that the "Easements for Sanitary Sewer and Storm Drainage Facilities" recorded in Liber 8213, Page 222, shall become null and void and shall be replaced in its entirety by this Easement Agreement to reduce the Easement Area to its as-built location on the Premises.

E. The Grantee desires to acquire from the Grantor certain rights to the Premises in order to operate, maintain, repair and/or replace a Sanitary Sewer and Storm Water Drainage Facility.

IT IS THEREFORE AGREED:

1. Grant of Easement. In consideration of the sum of One and 00/100 (\$1.00) Dollar, and other valuable consideration, Grantor hereby grants to Grantee a perpetual nonexclusive Sanitary Sewer and Storm Water easement as hereinafter described.

2. Character of Easement. The easement granted herein is appurtenant to the Premises.

3. Purpose of Easement. The easement herein shall be used only for the purpose of the operation, maintenance, repair and/or replacement of the Sanitary Sewer and Storm Water Drainage Facility.

4. Location and Description of Easement. The location and legal description of the easement granted herein is shown in Exhibit B and described under the heading of "Description of Easement," which is attached hereto and incorporated herein by reference (the "Easement Area").

5. Construction and Maintenance. The operation, maintenance, repair, and/or replacement of the Sanitary Sewer and Storm Water Drainage Facility shall be at the sole cost and expense of the Grantee. During all aspects of any work performed on the Premises, Grantee also covenants and agrees to do the following:

a. Immediately backfill and temporarily restore, on a daily basis, all driveways, parking lots and sidewalk areas located upon the Premises and disturbed by virtue of the maintenance or repairs to the Sanitary Sewer and Storm Water Drainage Facility until such time as final restoration of the affected areas occur pursuant to Paragraph 6 herein;

b. Immediately backfill or fence during working hours all excavations on the Premises when not supervised to ensure safety;

c. Provide Grantor with continued access for ingress and egress over, under, through and across the Easement Area;

d. Provide Grantor with continued access to the Premises; and

e. Carry on its work to ensure only minimal interference or disruption of Grantor's school operations on the Premises.

6. Restoration. If upon any maintenance, repair, replacement, removal or any such work performed upon the Sanitary Sewer and Storm Water Drainage Facility, the Premises have been affected in any manner by said maintenance, repair and/or replacement, Grantee shall, at its sole cost and expense, restore the Premises to a condition as good as its condition prior to such work. Such restoration shall include but not be limited to the following:

a. The restoration of sodded and grassed areas;

b. Any driveways, parking lots, sidewalks, bike paths, culverts, curbs and headwalls so disturbed shall be restored with like materials and to matching thickness as prior to Grantee's commencement of construction;

c. Any and all shrubbery, removed, destroyed or disturbed in any manner shall be replaced upon completion of construction with like shrubs; and

d. The restoration of disturbed or destroyed chainlink fencing, if any, located upon the Premises.

Such restoration shall occur not later than sixty (60) days after completion of maintenance, repair, replacement, removal or any such work performed upon the Premises. If, however, weather conditions and/or local frost laws prevent the timely restoration of the Premises, such restoration shall occur not later than the first growing season after completion of the work performed.

7. Grantor's Rights. Grantor also retains, reserves, and shall continue to enjoy the use of the surface of the Easement Area for any and all purposes which do not interfere with or prevent the use by Grantee, except that Grantor shall not place any above-ground permanent structures in the Easement Area. If the Grantor or any of Grantor's successors or assigns shall dedicate all or any part of the property affected by this easement, the Grantee and its successors and assigns shall execute all instruments that may be necessary or appropriate to effectuate such dedications, without, however, extinguishing the easement right granted herein.

8. Nonexclusive Easement. The easement, rights, and privileges granted herein are nonexclusive, and Grantor reserves and retains the right to convey similar easements and rights to such other persons as Grantor may deem proper provided such similar easements do not affect Grantee's easement.

9. Insurance. Grantee, at its sole cost and expense, shall maintain and keep in effect, general liability insurance on the Premises during and until completion of any maintenance, repair, replacement, removal or any such work performed upon the Premises, with a company and in a form acceptable to Grantor with the minimum limits of \$1,000,000.00 on account of bodily injuries to or death of one person, and minimum limits of \$2,000,000.00 on account of bodily injuries or death of more than one person, or such other amounts as Grantor may, from time to time, reasonably request, as a result of any one accident or occurrence; and property damage insurance with minimum limits of \$1,000,000.00, or such other amounts as Grantor may, from time to time, reasonably request. Such policies shall name Grantor as an additional insured and Grantee shall provide Grantor with a certificate of insurance or other written evidence of its coverage, including an endorsement which states that such insurance may

not be cancelled except upon ten (10) days prior written notice to Grantor. In addition, Grantee shall require each contractor performing work on the Premises to keep in force at its sole cost and expense during and until completion of any maintenance, repair, replacement, removal or any such work performed upon the Premises, in a form acceptable to Grantor, an Owner's and Contractor's Protective Policy naming Grantor as the principal insured and shall also require each contractor to name Grantor as an additional insured on all Contractor Policies of insurance with both policies having minimum limits of \$1,000,000.00 on account of bodily injuries to or death of one person, and minimum limits of \$2,000,000.00 on account of bodily injuries or death of more than one person, or such other amounts as Grantor may, from time to time, reasonably request, as a result of any one accident or occurrence; and property damage insurance with minimum limits of \$1,000,000.00, or such other amounts as Grantor may, from time to time, reasonably request. Prior to commencement of any work, Grantee shall provide Grantor with a certificate of insurance or other written evidence of Grantor's coverage as an additional insured, including an endorsement which states that such insurance may not be cancelled except upon ten (10) days prior written notice to Grantor.

10. Liability of Grantee. The Grantee shall be responsible to the Grantor for liabilities incurred by the Grantor, arising out of the actions of the Grantee during the operation, maintenance, repairs or replacement of the Sanitary Sewer and Storm Water Drainage Facility on the easement granted. These liabilities shall include costs, expenses, actual attorney fees and liabilities for personal injury or property damage, including damage to property of the Grantor. However, Grantee shall not be responsible for any claims resulting from the actions of Grantor or that of third parties who are not designees, agents, successors or employees of Grantee. The terms "Grantee" and "Grantor" shall include their designees, agents, successors and employees. Nothing in this clause shall be construed to limit either Grantee's or Grantor's defenses and rights, including the right to assert a claim of governmental immunity.

11. Covenants to Run with Land. The covenants contained in this Agreement shall run with the land and shall be binding upon the parties and their respective heirs, representatives and successors.

12. Entire Agreement. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect. Any modification of this Agreement must be in writing and must be signed by the party to be charged.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the day and year first above written.

WITNESSES:

GRANTOR:
TROY SCHOOL DISTRICT

Janice M. Shotwell
Rebecca J. Garity
Rebecca J. Garity

By:

Janet Jopke
Janet Jopke

Its:

Superintendent

WITNESSES:

GRANTEE:
CITY OF TROY

By:

Its:

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 16th day of September, 2003, before me personally appeared JANET JOPKE, Superintendent of TROY SCHOOL DISTRICT, a Michigan Municipal Corporation, to me known to be the same person who executed the within instrument on behalf of TROY SCHOOL DISTRICT and who acknowledges the same to be the free act and deed of TROY SCHOOL DISTRICT.

JANICE M. SHOTWELL
Notary Public, Oakland County, MI
My Commission Expires 05/31/2007

Janice M. Shotwell
Oakland, Notary Public
County, Michigan
My Commission Expires: 05.31.2007

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this _____ day of September, 2003, before me personally appeared _____, on behalf of the CITY OF TROY, a Michigan Municipal Corporation, to me known to be the same person who executed the within instrument on behalf of the CITY OF TROY and who acknowledges the same to be the free act and deed of the CITY OF TROY. .

_____, Notary Public
_____, County, Michigan
My Commission Expires: _____

Sidwell No. 88-20-05-300-002

Recording Fee: _____

Drafted by:

Dana L. Abrahams, Esq.
Clark Hill PLC
255 S. Old Woodward – Third Floor
Birmingham, Michigan 48009
(248) 988-5840

When recorded return to:

City Clerk
City of Troy
500 West Big Beaver Road
Troy, MI 48084

5137642v1
21968/093678

EXHIBIT "A"

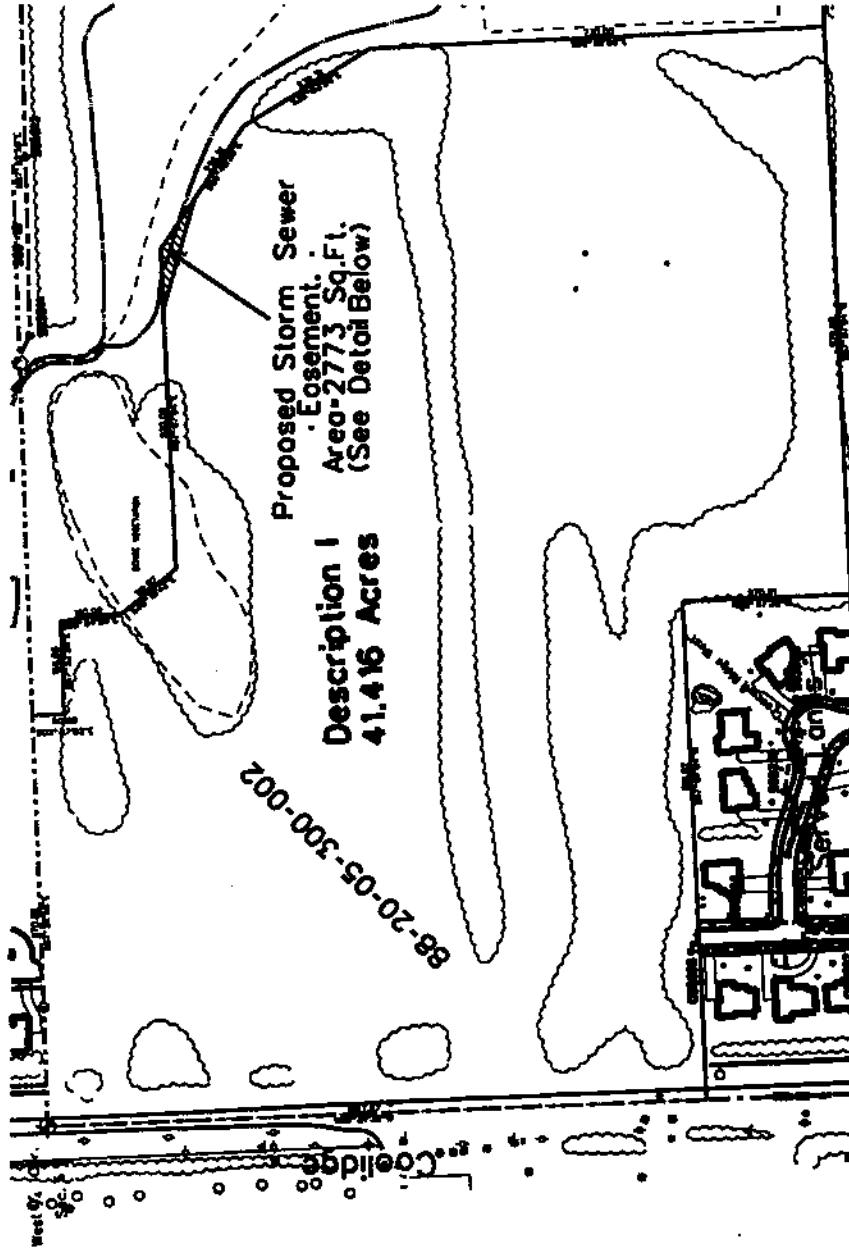
Section 5, Triangular Storm Sewer & Drainage Pond Easement
Parcel: 88-20-05-300-002

Description of Easement:

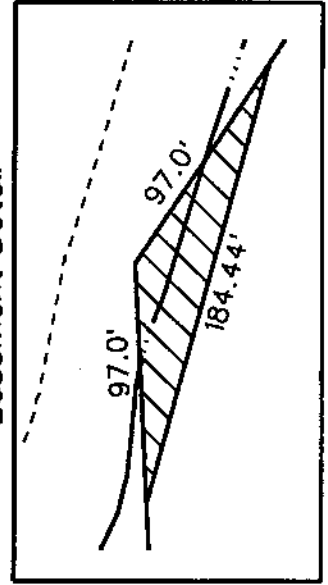
Part of the Southwest $\frac{1}{4}$ of Section 5, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Being more particularly described as:

Beginning at a point distant North 87 degrees 52 minutes 58 seconds East, 670.00 feet and South 02 degrees 07 minutes 02 seconds East 50.00 feet and North 87 degrees 52 minutes 58 seconds East 150.00 feet and South 08 degrees 04 minutes 26 seconds East 100.00 feet and South 40 degrees 18 minutes 42 seconds East 110.07 feet and North 87 degrees 07 minutes 04 seconds East 423.00 feet from the West $\frac{1}{4}$ corner of said section 5; thence continuing North 87 degrees 07 minutes 04 seconds East 97.00 feet; thence South 56 degrees 45 minutes 50 seconds East 97.00 feet; thence North 74 degrees 49 minutes 23 seconds West, 184.44 feet to the point of beginning.

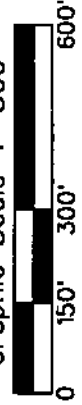
Containing 2,773 Square Feet or 0.064 Acres more or less.



Easement Detail



Graphic Scale: 1"=300'



CITY OF TROY OAKLAND COUNTY, MICHIGAN		SCALE 1"=300'		DATE 8-28-03	CHECKED DATE	FILE DATE
Storm Sewer Easement Sketch		NAME GJB III		DATE 8-28-03	SHEET No. 1 of 1	
DOCUMENT PREPARED BY George J. Ballard III CITY SURVEYOR		CONTRACT No.		JOB No.		

EASEMENTS FOR SANITARY SEWER
AND STORM DRAINAGE FACILITIES

THIS INDENTURE made this 15th day of July, 1982 between SCHOOL DISTRICT OF THE CITY OF TROY, a Michigan Public Body Corporate, whose address is 4400 Livernois, Troy, Michigan 48064, "Grantor" and THE CITY OF TROY, a Michigan Municipal Corporation, whose address is 500 West Big Beaver Road, Troy, Michigan 48064, "Grantee".

WITNESSETH:

The Grantor, being the owner of lands located in the City of Troy, Oakland County, Michigan, described as: Exemption M.D.A. 7.456 (S) (H)

DESCRIPTION I - Part of the Southwest 1/4 of Section 5, T. 2 N., R. 11 E., City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at the West 1/4 corner of Section 5, T. 2 N., R. 11 E.; thence along the East and West 1/4 line of Section 5, S. 89° 02' 36" E. 670.00 ft.; thence S. 00° 57' 24" W. 50.00 ft.; thence S. 89° 02' 36" E. 150.00 ft.; thence S. 05° 00' 00" E. 100.00 ft.; thence S. 37° 14' 18" E. 110.07 ft.; thence S. 89° 48' 30" E. 520.00 ft.; thence S. 53° 41' 24" E. 239.31 ft.; thence S. 28° 59' 24" E. 239.31 ft.; thence S. 00° 11' 30" W. 730.00 ft.; thence N. 89° 43' 30" W. 925.00 ft.; thence N. 00° 36' 54" E. 270.01 ft.; thence N. 89° 48' 30" W. 810.02 ft.; thence along the West line of Section 5, N. 00° 36' 54" E. 1057.97 ft. to the point of beginning.

and being in receipt of a valuable consideration, does hereby grant and convey to the Grantee, its successors and assigns, a permanent Easement and Right-of-Way for the purpose of constructing, installing, servicing, maintaining, repairing and/or replacing storm sewers and connections thereto and "open cut" ditching facilities in, on, over and through the lands described in said DESCRIPTION I.

The Grantor, being the owner of lands located in the City of Troy, Oakland County, Michigan described as:

DESCRIPTION II - Part of the Southwest 1/4 of Section 5, T. 2 N., R. 11 E., City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is S. 89° 02' 36" E. 670.00 ft. along the East and West 1/4 line of Section 5, from the West 1/4 corner of Section 5, T. 2 N., R. 11 E.; thence continuing along the East and West 1/4 line of Section 5, S. 89° 02' 36" E. 1807.64 ft.; thence S. 01° 00' 51" W. 1295.00 ft.; thence N. 89° 48' 30" W. 733.62 ft.; thence N. 00° 11' 30" E. 730.00 ft.; thence N. 28° 59' 24" W. 239.31 ft.; thence N. 53° 41' 24" W. 239.31 ft.; thence N. 89° 48' 30" W. 520.00 ft.; thence N. 37° 11' 16" W. 110.07 ft.; thence N. 05° 00' 00" W. 100.00 ft.; thence N. 89° 02' 36" W. 110.00 ft.; thence N. 00° 57' 24" E. 50.00 ft. to the point of beginning.

and being in receipt of a valuable consideration, does hereby further grant and convey to the Grantee, its successors and assigns, a permanent Easement and Right-of-Way for the purpose of constructing, installing, servicing, maintaining, repairing and/or replacing storm sewers and connections thereto, "open cut" ditching facilities and a storm water retention pond, in, on, over and through that part of the lands described in said DESCRIPTION II which are westerly of the drain traversing said lands and adjacent to the north line thereof.

In the event the land described in DESCRIPTION I or any part thereof is developed and improved, the Easements hereby granted and conveyed as to such land shall be extinguished and terminated, subject however, to the condition that the owner of such lands shall immediately grant and convey to the Grantee an appropriate thirty (30') foot wide Easement in replacement thereof for storm sewers or "open cut" ditching facilities in a location over such lands agreeable to Grantee which Easements shall accommodate the flow of storm water from the following described parcels of land, hereinafter referred to as the "Served Lands":

Gr 20-05-300-001 SW 1/4
SE 1/4

7.00
13. ok

"Part of the Southwest 1/4 of Section 5, T. 2 N., R. 11 E., City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is S. 00° 36' 54" W. 1057.97 ft. along the West line of Section 5, from the West 1/4 corner of Section 5, T. 2 N., R. 11 E.; thence S. 89° 48' 30" E. 810.02 ft.; thence S. 00° 36' 54" W. 270.01 ft.; thence N. 89° 48' 30" W. 810.02 ft.; thence along the West line of Section 5, N. 00° 36' 54" E. 270.01 ft. to the point of beginning."

and

"Part of the Southwest 1/4 of Section 5, T. 2 N., R. 11 E., City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at the Southwest 1/4 corner of Section 5, T. 2 N., R. 11 E.; thence along the West line of Section 5, N. 00° 36' 54" E. 1152.63 ft.; thence S. 89° 48' 30" E. 810.02 ft.; thence S. 00° 36' 54" W. 1154.60 ft.; thence along the South line of Section 5, N. 89° 48' 30" W. 810.01 ft. to the point of beginning."

to that part of the lands described in DESCRIPTION II over which Easements have been granted by this Indenture for storm sewers, "open cut" ditching facilities and a storm water retention pond.

The owner of the Served Lands shall have the right but not the obligation to install storm sewers and construct a storm water retention pond within the Easements hereby granted and conveyed as to the lands described in said DESCRIPTION II. The owner of the lands described in DESCRIPTION I shall also have the right but not the obligation to install storm sewers and either construct or expand a storm water retention pond within the Easements hereby granted and conveyed as to the lands described in said DESCRIPTION II.

The Grantee, through its employees, agents, contractors, or others whom it may authorize, shall have full right of ingress and egress upon the lands herein described for the purposes described herein together with temporary construction Easements in, on, over and through such lands of whatever width is necessary during any period of construction, repair or replacement in order to accomplish the purposes described herein. Such permanent and temporary Easements shall include the right to deposit dirt, store machinery, materials, equipment and any and all other items which may be required in order to accomplish the purposes described herein. Grantee shall be further authorized to remove trees, bushes, undergrowth or other obstructions interfering with the construction, maintenance, repair or replacement of the facilities within such Easements.

The Grantee shall at any time hereafter have the right to grant or assign the Easements hereby granted and conveyed or any part of such Easements to any other agency of government having jurisdiction in the premises. Any such assignment shall be subject to the provisions of this Indenture.

The Easements hereby granted shall not merge into any legal or equitable title which the Grantee may have or acquire in any of the lands herein above described, but shall continue in full force and effect notwithstanding such legal or equitable title.

Should Grantee or any other party as authorized by this Indenture contribute any storm water into the proposed storm water retention pond within the Easements as to the lands described in said DESCRIPTION II, each of them shall contribute to the cost of maintaining such retention pond in proportion to the ratio that their respective acreage contributing to the retention pond bears to the total acreage contributing to the retention pond.

The Easements hereby granted and conveyed shall be non-exclusive and accordingly, other easements may hereafter be created in, on, over and through the lands herein described provided, however, that no subsequent easement shall serve to terminate or preclude the rights prescribed by the Easements hereby granted.

In the event that the storm sewers and storm water retention pond as to said DESCRIPTION II shall no longer be required because a permanent storm water outlet is provided in replacement thereof, the Easements established as to the lands described in said DESCRIPTION II shall thereupon become extinguished and terminated.

These Easements and Rights-of-Way shall run with the land and shall be binding upon the respective successors and assigns of the Grantor and Grantee.

IN WITNESS HEREOF the Grantor does hereby set its hand on the day and year first above written.

WITNESSES:

GRANTOR:

SCHOOL DISTRICT OF THE CITY OF TROY
a Michigan Public Body Corporate

By: Don R. Shaefer
DON R. SHAEFER
SUPERINTENDENT OF SCHOOLS

By: _____

Germaine M. Wilson
Germaine M. Wilson

David L. Jarvis
DAVID L. JARVIS

STATE OF MICHIGAN)
COUNTY OF OAKLAND) SS

The foregoing instrument was acknowledged before me this 14th day of July, 1982 by Don R. Shaefer and Superintendent of Schools, respectively of the School District of the City of Troy, a Michigan Public Body Corporate, on behalf of the corporate.

My Commission expires: Jan. 4, 1984

GERMAINE M. WILSON
Notary Public, Oakland County, Mich.
My Commission Expires Jan. 4, 1984

Germaine M. Wilson
Notary Public
Oakland County, Michigan

RECORDED
JUL 16 1982
CLERK OF COURTS
OAKLAND COUNTY, MICH.

DRAFTED BY:
N. J. COHEN
2900 W. MAPLE
TROY, MI. 48064

RETURN TO:
GRANTEE

September 9, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
 Gary A. Shripka, Assistant City Manager/Services
 Douglas J. Smith, Real Estate & Development Director
 Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Acceptance of Permanent Easements for
 Woodman/Estates/Wattles Storm Drain/Sewer – Section 19
 Sidwell #88-20-19-203-015, #88-20-19-203-016, #88-20-19-203-035,
 #88-20-19-203-050 & #88-20-19-203-052

In connection with the installation of a rear yard drainage project on Woodman, Estates and Wattles, in the northeast ¼ of Section 19, south of Wattles and west of Coolidge, the Real Estate and Development Department has acquired the following permanent easements for storm drain/sewer. The consideration amount on each document is \$1.00.

GRANTOR

1. Richard E. Cody & Renay C. Cody
2. Bradley L. Blair & Cherilyn Ross
3. Virginia M. Carson
4. Patricia A. Stewart Living Trust
5. Mary Anne Donley & Frank M. Donley

SIDWELL

88-20-19-203-015
 88-20-19-203-016
 88-20-19-203-035
 88-20-19-203-050
 88-20-19-203-052

In order to proceed with this project, we recommend that City Council accept the attached permanent easements.

cc: Timothy Richnak, Public Works Director

PERMANENT EASEMENT

Sidwell #88-20-19-203-015
Resolution #

Richard E. Cody and Renay C. Cody, husband and wife, Grantors, whose address is 3900 Woodman, Troy, MI 48084 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 27th day of Aug. A.D. 2003

In presence of:
WITNESS

Richard E. Cody (L.S.)
*Richard E. Cody

Renay C. Cody (L.S.)
*Renay C. Cody

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 27 day of August, 2003 by Richard E. Cody and Renay C. Cody, husband and wife.

Laverne Robinson
Notary Public, Wayne County, Michigan
Acting in Oakland
My Commission Expires 09/29/07

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk Laverne Robinson
Notary Public, Wayne County, MI
City of Troy My Commission Expires 09-29-07
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

**Section 19, 6' X 75' Permanent Easement for Storm Sewer
And Surface Drainage
Parcel: 88-20-19-203-015
Owner: Unknown**

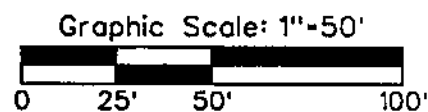
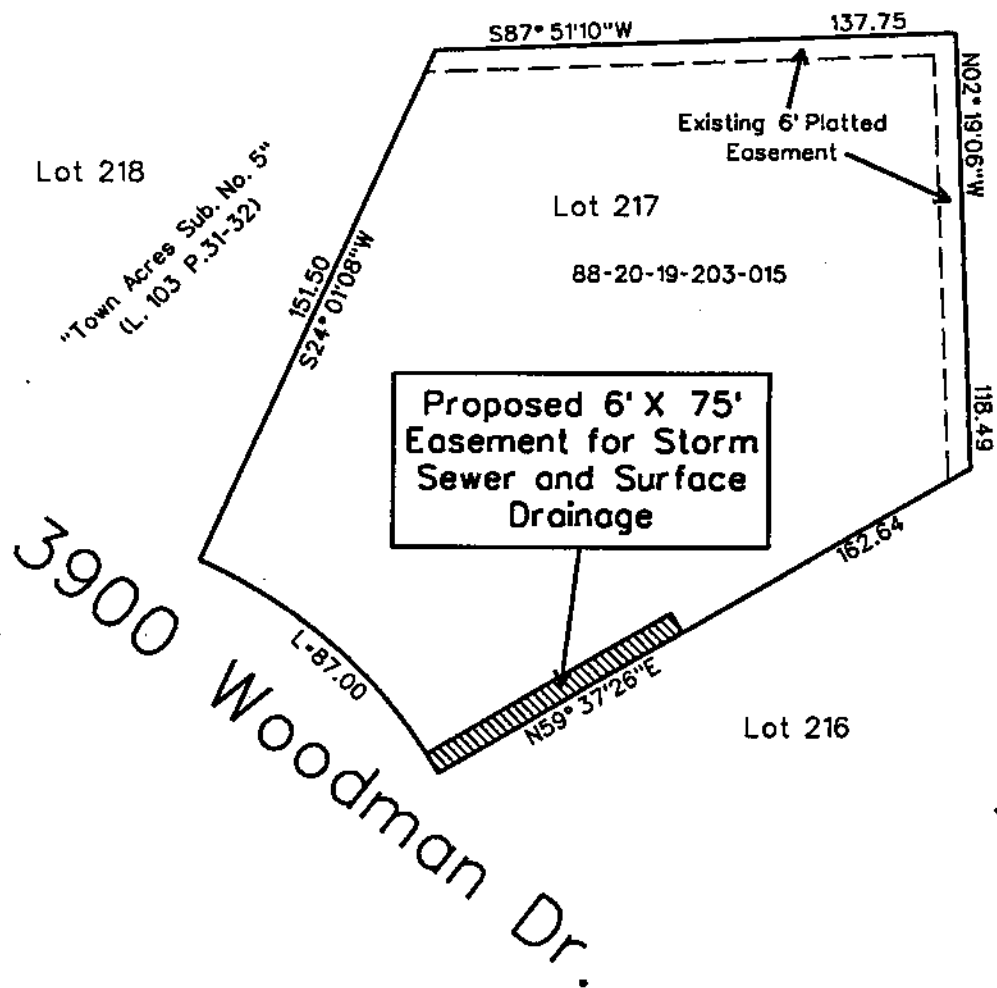
Description of Easement:

Part of Lot 217 of "Town Acres Sub. No. 5", as recorded in Liber 103, Pages 31-32, Oakland County, Michigan records. Said plat being part of the North 1/2 of Section 19, Town 2 North, Range 11 East, City of Troy.

The Southerly 6.00 feet of the Westerly 75.00 feet of said Lot 217.

Containing 450 Square Feet or 0.010 Acres more or less._

#1



G:\Surveying\GEORGE\Easement Drawings\88-20-19-203-015.dgn

DOCUMENT PREPARED BY
George J. Ballard III
CITY SURVEYOR

DATE REV.
CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
Proposed Easement Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=50'	NAME GJB III	NAME	See Below
VER.	DATE 7-30-03	DATE	VIEW #1
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 1	JOB No.

PERMANENT EASEMENT

Sidwell #88-20-19-203-016
Resolution #

Bradley L. Blair and Cherilyn Ross, husband and wife, Grantors, whose address is 3890 Woodman, Troy, MI 48084 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed two signature(s) this 28th day of August A.D. 2003

In presence of:
WITNESS

Bertha J. Aribas

Bradley L. Blair (L.S.)
*Bradley L. Blair

Dennis A. Whalen

Cherilyn Ross (L.S.)
*Cherilyn Ross

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 28 day of August, 2003, by Bradley L. Blair and Cherilyn Ross, husband and wife.

JANIS E. NELSON
Notary Public, Oakland County, MI
My Commission Expires 10-07-07

Janis E. Nelson

Notary Public, Oakland County, Michigan

My Commission Expires 10-7-07

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

**Section 19, 10' Wide Permanent Easement for Storm Sewer
And Surface Drainage
Parcel: 88-20-19-203-016
Owner: Unknown**

Description of Easement:

Part of Lot 216 of "Town Acres Sub. No. 5", as recorded in Liber 103, Pages 31-32, Oakland County, Michigan records. Said plat being part of the North 1/2 of Section 19, Town 2 North, Range 11 East, City of Troy.

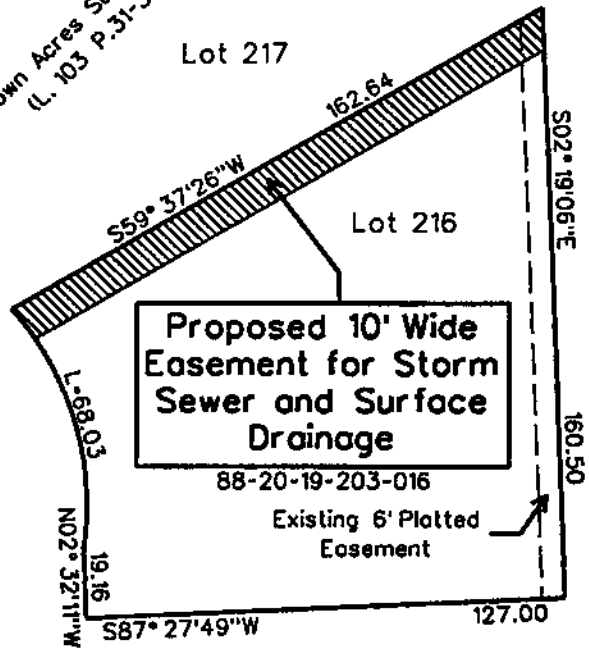
The Northerly 10.00 feet of said Lot 216.

Containing 1,593 Square Feet or 0.037 Acres more or less.

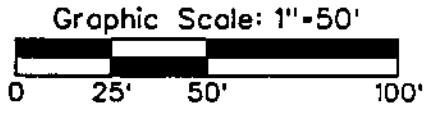
#2

3890 Woodman Dr.

"Town Acres Sub. No. 5"
(L. 103 P.31-32)



Lot 215



G:\Surveying\GEORGE\Easement Drawings\88-20-19-203-016.dgn

DOCUMENT PREPARED BY
George J. Ballard III
CITY SURVEYOR

DATE REV.
CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
Proposed Easement Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=50'	NAME GJB III	NAME	See Below
VER.	DATE 7-30-03	DATE	VIEW #1
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 1	JOB No.

PERMANENT EASEMENT

Sidwell #88-20-19-203-035
Resolution #

Virginia M. Carson, as survivor of herself and her deceased husband, Daniel R. Carson, a copy of whose death certificate is attached, Grantor(s), whose address is 3869 Estates Court, Troy, MI 48084 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.


This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed HER signature(s) this 3rd day of September A.D. 2003.

In presence of:
WITNESS

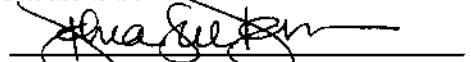

Debra Sue Denson

 (L.S.)
Virginia M. Carson


Joel H. Weinberg

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 03 day of September, 2003, by Virginia M. Carson, survivor of herself and her deceased husband Daniel R. Carson.


Notary Public, Oakland County, Michigan

My Commission Expires 9-5-05

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084
DEBRA SUE DENSON
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Sep 5, 2005

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

CERTIFICATION OF VITAL RECORD

COUNTY OF WASHTENAW

STATE OF MICHIGAN

2003-00080-B



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH

CERTIFICATE OF DEATH

STATE FILE NUMBER

2146006

TYPE/PRINT
IN
PERMANENT
BLACK INK

NAME OF DECEDENT
FOR USE BY PHYSICIAN OR INSTITUTION

1. DECEDENT'S NAME (First, Middle, Last) Daniel Russell Carson		2. SEX Male	3. DATE OF DEATH (Month, Day, Year) January 8, 2003
4a. AGE - Last Birthday (Years) 55	4b. UNDER 1 YEAR MONTHS _____ DAYS _____	4c. UNDER 1 DAY HOURS _____ MINUTES _____	5. DATE OF BIRTH (Month, Day, Year) May 6, 1947
6. COUNTY OF DEATH Washtenaw		7. CITY, VILLAGE, OR TOWNSHIP OF DEATH Ann Arbor	
7a. LOCATION OF DEATH (Enter place officially pronounced dead in 7a, 7b, 7c.) University Hospitals		7b. LE HOSP OR INSC. INDEMNITY Inpatient	
8. SOCIAL SECURITY NUMBER 370-50-4209		9. USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired) Account Manager	
10a. CURRENT RESIDENCE - STATE Michigan		10b. KIND OF BUSINESS OR INDUSTRY Automotive Supplies	
10c. COUNTY Oakland	10d. LOCALITY (Check one box and specify) <input checked="" type="checkbox"/> INSIDE CITY OR VILLAGE OF <input type="checkbox"/> TWP. OF Troy	10e. STREET AND NUMBER 3869 Estates Court	
10f. ZIP CODE 48084	11. BIRTHPLACE (City and State or Foreign Country) Detroit, MI	12. MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify) Married	13. SURVIVING SPOUSE (If wife, give name before first married) Virginia Carpenter
14. WAS DECEDENT EVER IN U.S. ARMED FORCES? (Specify Yes or No) Yes		15. DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary/Secondary (10-12) _____ College (14 or 15+) 2	
16. ANCESTRY - Mexican, Puerto Rican, Cuban, Central or South American, Chinese, other Hispanic, Afro-American, Arab, English, French, Finnish, etc. (Specify below) Irish/Italian		17. RACE - American Indian, Black, White, etc. If Asian, give nationality i.e. Chinese, Filipino, Asian Indian, etc. (Specify below) White	
18. FATHER'S NAME (First, Middle, Last) Hugh Boyle Carson		19. MOTHER'S NAME (First, Middle, Last) Paula Emily Emato	
20a. INFORMANT'S NAME (Type/Print) Virginia Carson		20b. MAILING ADDRESS (Street and Number or Rural Route Number, City or Village, State, ZIP Code) 3869 Estates Court, Troy, Michigan 48084	
21. METHOD OF DISPOSITION - Burial, Cremation, Removal, Donation, Other (Specify) Burial		22a. PLACE OF DISPOSITION - Name of Cemetery, Crematory, or other place Oakview Cemetery	
22b. LOCATION - City or Village, State Royal Oak, Michigan		23. SIGNATURE OF FUNERAL SERVICE LICENSEE <i>Bradford Smith</i>	
24. LICENSE NUMBER (of Licensee) 6088		25. NAME AND ADDRESS OF FUNERAL HOME Wm. Sullivan & Son, Funeral Home 705 N. Franklin Road, Royal Oak, MI 48067	
26. PART I: Enter the disease, injuries, or complications that caused the death. Do NOT enter the mode of death, such as cardiac or respiratory arrest, shock, or other failure. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death) Craft vs. Host Disease DUE TO (OR AS A CONSEQUENCE OF) Acute Myelogenous Leukemia DUE TO (OR AS A CONSEQUENCE OF) Hypertension, Pulmonary Edema			
27a. HAD AN AUTOPSY PERFORMED? (Yes or No) Yes			
27b. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? (Yes or No) Yes			
28. ACTUAL PLACE OF DEATH (Home, Nursing Home, Hospital, Ambulance) (Specify) Hospital		29. WAS CASE REFERRED TO MEDICAL EXAMINER? (Specify Yes or No) No	
30a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. Signature and Title of Certifying Physician <i>Rashni Chugh, M.D.</i>		30b. DATE SIGNED (Mo., Day, Yr.) January 10, 2003	
30c. TIME OF DEATH 1:51P		30d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) Rashni Chugh, M.D.	
31a. DATE SIGNED (Mo., Day, Yr.) January 10, 2003		31b. TIME OF DEATH 1:51P	
32a. NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (ITEM 26) (Type or Print) Rashni Chugh, M.D., University Hospitals, Ann Arbor, Michigan 48109		32b. LICENSE NUMBER 072440	
33a. ACC. SUICIDE, HOMICIDE, NATURAL OR POISONING INQUIRY (Specify) No		33b. DATE OF INQUIRY (Mo., Day, Yr.) Jan 10, 2003	
33c. TIME OF INQUIRY 1:51P		33d. DESCRIBE HOW INQUIRY OCCURRED At home	
33e. INQUIRY AT WORK (Specify Yes or No) No		33f. PLACE OF INQUIRY - At home, farm, street, factory, office building, etc. (Specify) At home	
33g. LOCATION - Street or R.F.D. No., City, Village or Town, State Ann Arbor, MI		34a. REGISTRAR'S SIGNATURE <i>Peggy M. Haines</i>	
34b. DATE FILED (Month, Day, Year) Jan 14, 2003		34c. DATE OF DEATH Jan 8, 2003	

DCH - 0483 10/98
(Formerly B-36)

I, PEGGY M. HAINES, CLERK/REGISTER OF SAID COUNTY OF WASHTENAW DO HEREBY CERTIFY that the foregoing is a true and exact copy of the original document on file in my office.

JAN 14 2003

DATED:

WASHTENAW COUNTY CLERK/REGISTER

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

EXHIBIT "A"

Wednesday, July 30, 2003

**Section 19, 10' X 120' Permanent Easement for Storm Sewer
And Surface Drainage
Parcel: 88-20-19-203-035**

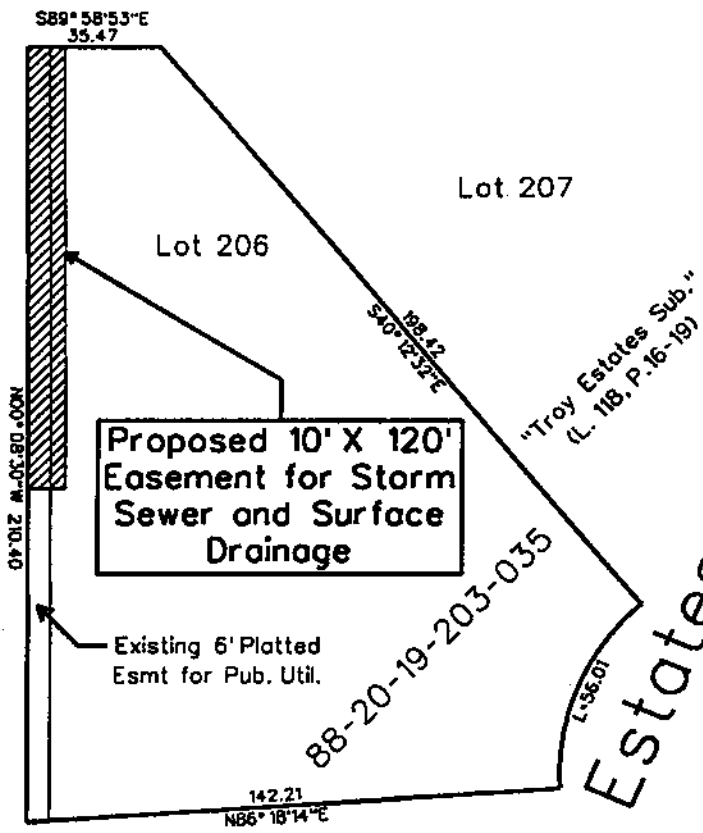
Description of Easement:

Part of Lot 206 of "Troy Estates Sub.", as recorded in Liber 118, Pages 16-19, Oakland County, Michigan records. Said plat being part of the Northeast $\frac{1}{4}$ of Section 19, Town 2 North, Range 11 East, City of Troy.

The West 10.00 feet of the North 120.00 feet of said Lot 206.

Containing 1,200 Square Feet or 0.028 Acres more or less.

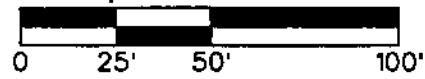
#3



3869 Estates Ct.



Graphic Scale: 1"=50'



G:\Surveying\GEORGE\Easement Drawings\88-20-19-203-035.dgn

DOCUMENT PREPARED BY
George J. Ballard III
CITY SURVEYOR

CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
Proposed Easement Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR 1"=50'	NAME GJB III	NAME	See Below
VER	DATE 7-30-03	DATE	VIEW *1
STEVEN J. VANDETTE CITY ENGINEER		SHEET No.	JOB No.
		1 of 1	

PERMANENT EASEMENT

Sidwell #88-20-19-203-050
Resolution #

Patricia A. Stewart and Richard W. Stewart, Trustees, under the Patricia A. Stewart Living Trust dated May 22, 2000, Grantors, whose address is 2355 W. Wattles, Troy, MI 48098 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 2 signature(s) this 30th day of AUGUST A.D. 2003

In presence of:
WITNESS
DATED MAY 22, 2000

PATRICIA A. STEWART LIVING TRUST

Frank Donley

Patricia A. Stewart (L.S.)
*Patricia A. Stewart, Trustee

Mary Anne Donley

Richard W. Stewart (L.S.)
*Richard W. Stewart, Trustee

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 30th day of AUGUST, 2003, by Patricia A. Stewart and Richard W. Stewart, Trustees, under the Patricia A. Stewart Living Trust dated May 22, 2000.

MARY ANNE DONLEY
Notary Public, Oakland County, MI
My Commission Expires 01/16/2007

Mary Anne Donley
Notary Public, OAKLAND County, Michigan
My Commission Expires 1-16-07

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

**Section 19, 10' X 10' Permanent Easement For Storm Sewer
and Surface Drainage
Parcel: 88-20-19-203-050
Owner: Unknown**

Description of Easement:

Part of the Northeast ¼ of Section 19, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Being more particularly described as:

The East 10.00 feet of the South 10.00 feet of the following described property;

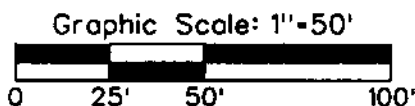
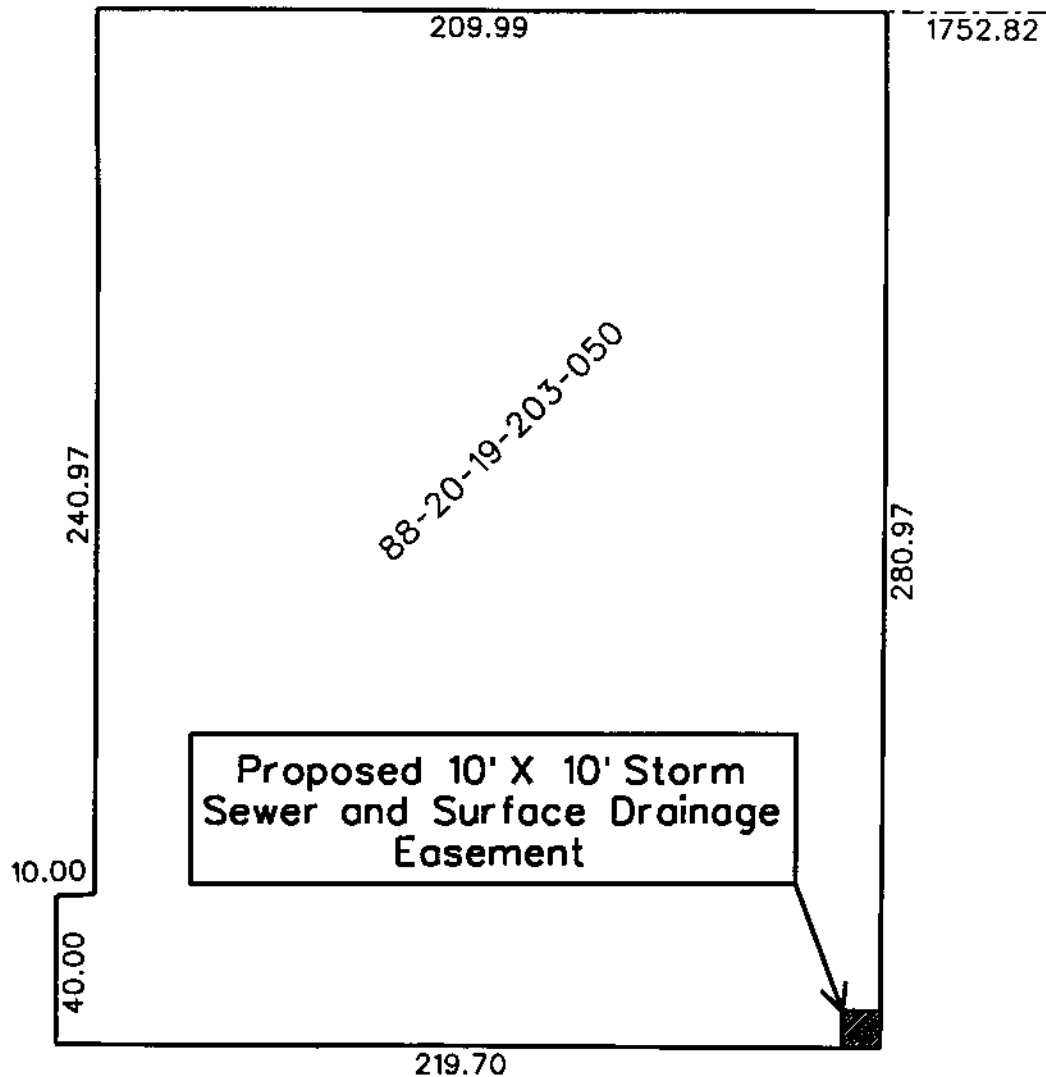
Beginning at a point distant North 89 degrees 47 minutes 00 seconds West, 1752.82 feet from the Northeast corner of said section; thence South 00 degrees 08 minutes 38 seconds West, 280.97 feet; thence North 89 degrees 47 minutes 00 seconds West, 219.70 feet; thence North 00 degrees 08 minutes 38 seconds East, 40.00 feet; thence North 87 degrees 51 minutes 10 seconds East 10.00 feet; thence; North 02 degrees 23 minutes 06 seconds West, 240.97; thence South 89 degrees 47 minutes 00 seconds East 209.99 feet to the point of beginning.

Said Easement contains 100 Square Feet or 0.002 Acres more or less

Description taken from Tax Roll Records.

#4

2355 W. Wattles



G:\Surveying\GEORGE\Easement Drawings\88-20-19-203-050.dgn

DOCUMENT PREPARED BY
George J. Ballard III
CITY SURVEYOR

DATE REV.

CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
Proposed Easement Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=50'	NAME GJB III	NAME	See Below
VER.	DATE 7-30-03	DATE	VIEW PT
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 1	JOB No.

PERMANENT EASEMENT

Sidwell #88-20-19-203-052
Resolution #

Mary Anne Donley and Frank M. Donley, Wife and Husband, Grantors, whose address is 2321 W. Wattles, Troy, MI 48098 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed two signature(s) this 23rd day of AUGUST A.D. 2003

In presence of:
WITNESS

James A. Lilley
JAMES A. LILLEY
Juan Davis

Mary Anne Donley (L.S.)
*Mary Anne Donley
Frank M. Donley (L.S.)
*Frank M. Donley

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 23rd day of August, 2003, by Mary Anne Donley and Frank M. Donley, Wife and Husband.

Juan Davis
Notary Public, Oakland County, Michigan
My Commission Expires 11-15-05

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

**Section 19, 10' X 20' Permanent Easement For Storm Sewer
and Surface Drainage
Parcel: 88-20-19-203-052
Owner: Unknown**

Description of Easement:

**Part of the Northeast ¼ of Section 19, Town 2 North, Range 11 East, City of Troy, Oakland County,
Michigan. Being more particularly described as:**

The West 10.00 feet of the South 20.00 feet of the following described property;

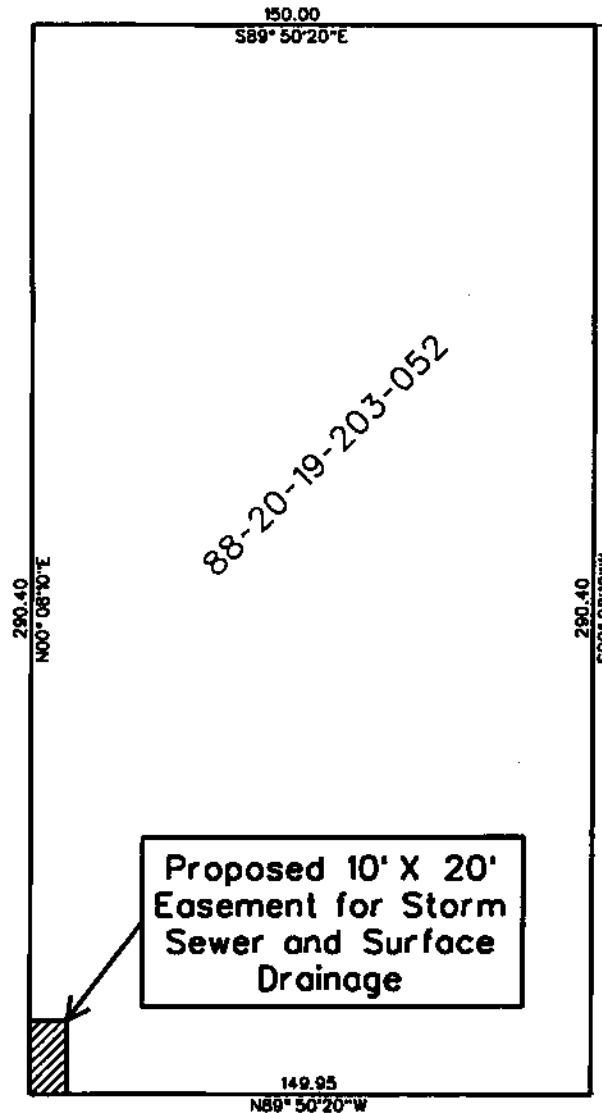
**Beginning at a point distant North 89 degrees 50 minutes 20 seconds West, 1603.20 feet from the Northeast
corner of said section; thence South 00 degrees 08 minutes 10 seconds West, 290.40 feet; thence North 89
degrees 50 minutes
20 seconds West, 149.95 feet; thence North 00 degrees 08 minutes
10 seconds East, 290.40 feet; thence South 89 degrees 50 minutes
20 seconds East, 150.00 feet to the point of beginning.**

Said Easement contains 200 Square Feet or 0.005 Acres more or less

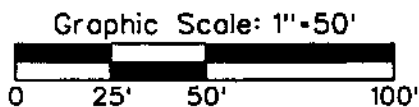
Description taken from Tax Roll Records.

#5

2321 W. Wattles



NE Cor.
Sec. 19



G:\Surveying\GEORGE\Easement Drawings\88-20-19-203-052.dgn

DOCUMENT PREPARED BY
George J. Ballard III
CITY SURVEYOR

DATE REV.

CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
Proposed Easement Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=50'	NAME GJB III	NAME	See Below
VER.	DATE 7-30-03	DATE	VIEW -1
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 1	JOB No.

September 15, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
 Lori Grigg Bluhm, City Attorney
 Gary A. Shripka, Assistant City Manager/Services
 John Lamerato, Assistant City Manager/Finance Administration
 Doug Smith, Real Estate and Development Director
 Carol Anderson, Parks and Recreation Director

SUBJECT: Amendment #2 – Office Space Rental Agreement
 Emerald Food Service – Café/Pro Shop Contract

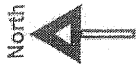
RECOMMENDATION

City management recommends that the contract with Emerald Food Service to provide Café and Pro Shop operations in the Community Center be amended to include the use of additional office space. The 255 square foot office space would be rented for \$15 per square foot or \$3825 per year. Terms of this addendum to the contract are included.

BACKGROUND

A three-year contract with Emerald Food Service to provide a café/pro shop at the Community Center was approved by City Council (Resolution #2002-01-014) on January 7, 2002. The contract stipulated that Emerald Food service would have the exclusive catering rights for meetings and events in the Community Center. Upon completion of Phase 2 of the Community Center renovation project in February 2003, there has been an increase in catering business involving Emerald Food Service. This has necessitated the need for an office for their staff to meet with prospective customers to make catering arrangements when using the Community Center. Emerald Food Service currently has an 80 square foot office located in the kitchen that is not suitable to use when meeting with the public.

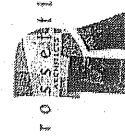
This proposed office space (Exhibit A) was originally designated as a coat room for special events that use the meeting rooms. However, coat racks have been placed in each of the meeting rooms, thereby eliminating the need for a separate coat room. The space would be ideal for Emerald Food Service due to its close proximity to the meeting rooms and kitchen.



Livemore



JM OLSON
CORPORATION

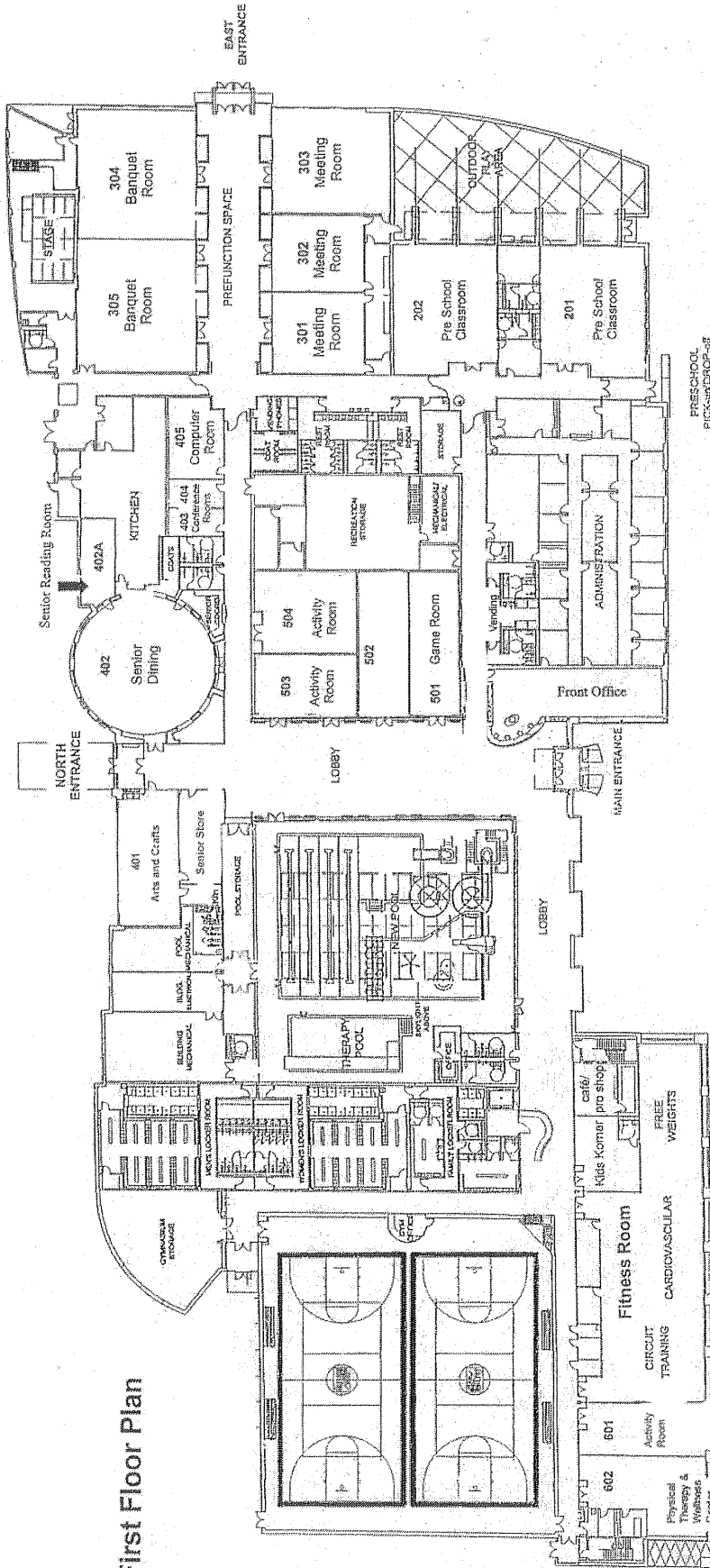


Troy Community Center



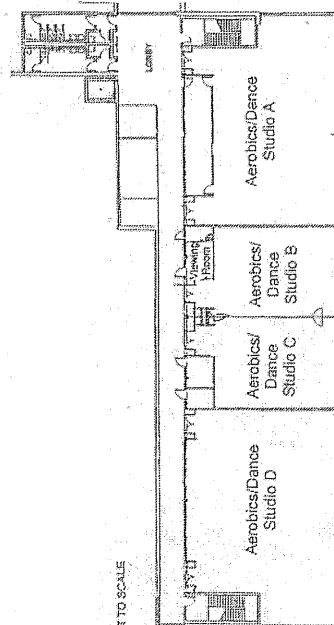
Exhibit A

First Floor Plan



NOT TO SCALE

Second Floor Plan



ADDENDUM TO AGREEMENT FOR THE COMMUNITY CENTER
CAFÉ/PRO SHOP

This is an Addendum to the Agreement for the Community Center Café/Pro Shop, also known as Emerald Café, which was entered into by the City of Troy, Michigan, a Michigan municipal corporation, 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter "City", and Emerald Food Services I, L.L.C., a Michigan Limited Liability Company, 1980 Greenfield, Berkley, Michigan 48072, hereafter "Operator", on March 18, 2002. Except for the additions or changes specified herein, the terms and conditions of the original Agreement remain in full force and effect.

1. RENT FOR ADDITIONAL SPACE. Operator shall be entitled to the use of an additional 255 square feet within the Community Center as shown on the attached Exhibit A for \$3825.00 per year or \$318.75 per month (\$15.00 per square foot). By the first (1st) day of each month, the Operator shall pay rent of \$200 per month for the additional square footage. The remaining rent balance of \$118.75 per month shall be paid no later than June 30th of each year. This space is to be used only for office and for business relating to the operation of the Community Center.

2. TERM. This Addendum shall only remain in effect for the term of the original Agreement or any extensions of that term. The space shall be vacated at termination of the original Agreement now in effect between the City and the Operator.

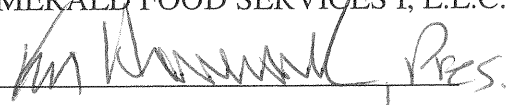
3. EQUIPMENT AND BUILDING MODIFICATIONS. Operator shall provide all necessary equipment, supplies and building modifications. Building modifications and additions, including but not limited to fixtures, must be approved by the City in advance and become the property of the City at the conclusion of the Agreement. The costs

associated with part or all of the building modifications that are necessary to make the space a viable office, such as the installation of a door and one voice/data connection, that are incurred by Emerald Food Service shall be deducted from the annual rent but only after sufficient receipts for the cost of those expenditures are presented to the City. The City shall determine if the costs were reasonably incurred. Equipment brought in must also be approved in advance by the City.

4. MAINTENANCE. Operator shall maintain the interior of the space in a clean and neat manner and in compliance with all City ordinances and State law. This includes, but is not limited to, the removal of trash to the proper containers.

5. HOURS OF AVAILABILITY. The Operator acknowledges that the rental space shall only be available under this Agreement during the hours of operation of the Community Center. Operator also waives any claim or cause of action regarding the non-availability of the space as set out herein or for emergency periods when, due to weather, electrical power outages, or acts of nature, the Community Center remains closed for operation.

EMERALD FOOD SERVICES I, L.L.C.,

 Pres.

Dated: 9/13/03

CITY OF TROY,

By: Matt Pryor, Mayor

By: Tonni Bartholomew, Clerk



Memo

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
John M. Lamerato, Assistant City Manager/Finance and Administration
Tonni L. Bartholomew, City Clerk

Date: September 3, 2003

Re: Council Rules of Procedure – Rule # 10 Reconsideration of Questions Amendment Proposal

In researching the past 10 years of City Council Minutes for Reconsideration and Rescinding, we have discovered that Council has routinely allowed motions for reconsideration or the rescinding of any vote, whether the maker of the motion was from the prevailing or non-prevailing side of the voted motion. This has been done with a simple majority vote.

Reconsideration and Rescinding are two different types of motions and are treated differently in Robert's Rules. According to Robert's Rules, Reconsideration Motions are to be made by a member of the prevailing side of a motion. The motion requires a simple majority to pass; Rescinding Motions can be made by either side of the voted motion and require a 2/3 majority to pass. Council's Rules of Procedure deviate from Robert's Rules since there is no distinction between the requirements for reconsideration and recession. Due to the potential confusion with these two types of motions, it is the recommendation of City Administration that modifications be made to the rules.

This can be done by dividing the two types of motions into two separate rules with definite procedures for both rules or clarifying the existing language. Proposed Rules are as follows:

Rule 10. Reconsideration of any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

Rule 11. Rescinding any vote of the Council shall require the affirmative vote of the majority of the Council Members.

Or

Rule 10. Reconsideration or Rescinding any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members.

Anthony N. Pallotta
6484 Elmoor Drive
Troy, MI 48098
ph: 248.879.6816



Fax

To: Toni Bartholomew

From: Tony Pallotta

Fax: 248-524-1770

Pages: 1

Phone:

Date: 9-17-03

Re: Reconsideration of prior action

CC: Mayor & City Council Members

Urgent

For Review

Please Comment

Please Reply

Please Recycle

• **Comments:** Toni, I have noticed that there is some mis-understanding as to when a resolution may be brought up for reconsideration- in the distant past it was necessary for someone on the prevailing side only to be able to bring an item back up. Some-time back in the past it was agreed that anyone could ask to bring an item back up for reconsideration. I believe it was made part of our Rules & Procedures. I can't tell you exactly when but I believe it was quite some time ago. I notice there is some dis-agreement with members of City Council on this item. Toni, please copy the Mayor & City Council- Tony Pallotta

September 17, 2003

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Carol Anderson, Parks and Recreation Director

Subject: Installation of Bronze Statue/Dedication Plaque in Memory of Margaret Gaffney

RECOMENDATION

Parks and Recreation recommends that the Peace Garden Committee be permitted to install a piece of garden sculpture and a dedication plaque in the Peace Garden on the Civic Center grounds.

BACKGROUND

Margaret Gaffney was a Co-Chairperson on the original Peace Garden Committee and was instrumental in getting the Peace Garden installed. Upon her passing, her family requested funds be sent to the Peace Garden Committee for a statue in lieu of flowers.

With these funds and monies given by the family, a 42" bronze statue (girl reading book while sitting on a tree stump) has been purchased (see attached photo). Parks and Recreation staff has selected a site in the Peace Garden, which is south of the Library's children's entrance, next to the carpet rose display (see photo).

BUDGET

The Peace Garden Committee will be covering all costs related to installation of the statue and dedication plaque.





Proposed Statuary Location)

September 10, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Jeanette Bennett, Purchasing Director
Charles T. Craft, Chief of Police

Subject: Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds –
Troy Community Coalition

APPROVAL TO EXPEND FUNDS

The Police Department requests approval to continue to provide funding to the TROY COMMUNITY COALITION in the amount of \$100,000.00 for the 2003/2004 fiscal year.

BACKGROUND

The Troy Community Coalition will provide community services to prevent drug and alcohol abuse.

Funding agreements were previously approved by the City Council on July 22, 2002, resolution #2002-07-427, September 10, 2001, resolution #2001-09-449 and on August 21, 2000, resolution #2000-387-E-4.

BUDGET

The Police Department's Police Administration Contractual Services – Troy Community Coalition, account #305.7802.109 has been designated for the funding of this program.



TO: MAYOR AND MEMBERS OF CITY COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY
ROBERT F. DAVISSON, ASSISTANT CITY ATTORNEY
JACQUELYN M. BAULT, LEGAL ASSISTANT

DATE: September 15, 2003

SUBJECT: AMENDMENTS TO THE REGISTRATION PLATE VIOLATION
SECTION AND DEFINITION SECTION OF CHAPTER 106 OF
THE CITY CODE

Accompanying this memo are proposed amendments to the City of Troy registration plate violation ordinances in Chapter 106. Registration plates have replaced the previous "license plate" terminology. A recent state law has now reduced the current plate misdemeanor violations to civil infractions. These proposed amendments will bring the city ordinance in conformity with the new state law.

To effectuate this minor modification, the following ordinance provisions required minor adjustments:

- all vehicles shall have valid registration plates, which are securely and properly attached to the vehicle,
- the owners signature is required on the registration certificate,
- the certificate must be in the possession of the owner or operator of the vehicle and shall be displayed upon the request of a police officer,
- the secretary of state shall be notified of any change of address.

A definition of "owner" as it relates to motor vehicles has also been proposed in Chapter 106 to specifically address lease vehicles. This modification has necessitated some re-numbering.

It is our recommendation that these revisions be approved. Please feel free to ask us any questions that you have about the new state law or the proposed amendments.

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 106 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 106, Sections 1.01.00 – 1.75.00 and Sections 5.69, 5.69a, 5.70, and 5.70a of the Code of the City of Troy.

Section 2. Amendment

1.01.00 Words and phrases.

The following words and phrases when used in this code shall, for the purpose of this code, have the meanings respectively ascribed to them in this chapter. Whenever any word or phrase used in this code is not defined herein but is defined in Act No. 300 of the Public Acts of 1949, as amended, being §257.1 et seq. of the Michigan Compiled Laws, the definition therein shall be deemed to apply to the words and phrases used in this code.

1.02.00 "Act" means Act No. 300 of the Public Acts of 1949, as amended, being §257.1 et seq. of the Michigan Compiled Laws.

1.03.00 "Alcoholic liquor" means any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume which are fit for use for beverage purposes.

1.04.00 "Alley" means a minor thoroughfare, opened to public use, for the purpose of ingress and egress to service adjacent buildings.

1.05.00 "Ambulance" means a privately or publicly owned motor vehicle for highway use which is specially designed or constructed and equipped, which is intended to be used for, and is maintained or operated for, the transportation of persons who are sick, injured, wounded, or otherwise incapacitated or helpless, including dual purpose police patrol cars and funeral coaches or hearses, and which is equipped according to section 7 of Act No. 258 of the Public Acts of 1968, as amended, being §257.1207 of the Michigan Compiled Laws.

1.06.00 "Authorized emergency vehicle" means a vehicle of the fire department, a police vehicle, an ambulance, a privately owned motor vehicle of a volunteer or paid fireman, or a privately owned motor vehicle of a volunteer ambulance driver or a licensed ambulance driver or attendant as is authorized by the department of state police.

- 1.07.00 "Bicycle" means a device on which a person may ride, which is propelled by human power, and which has either 2 or 3 wheels in a tandem or tricycle arrangement which are more than 14 inches in diameter.
- 1.08.00 "Bicycle lane" means a portion of a street or highway which is adjacent to the roadway and which is established for the use of persons riding bicycles.
- 1.09.00 "Bicycle path" means a portion of a street or highway which is separated from the roadway by an open, unpaved space or by a barrier and which is established for the use of persons riding bicycles.
- 1.10.00 "Bus" means a motor vehicle which is designed to carry more than 10 passengers and which is used for the transportation of persons and also means a motor vehicle, other than a taxicab, which is designed and used for the transportation of persons for compensation. The term does not include a school bus or a bus that is equipped and used for living or camping purposes.
- 1.11.00 "Bus stand" or "bus stop" means a fixed area in the roadway, parallel and adjacent to the curb, to be occupied exclusively by buses for layover in operating schedules or by buses waiting for, loading, or unloading passengers.
- 1.12.00 "Business district" means the territory contiguous to a highway when 50% or more of the frontage thereon, for a distance of 300 feet or more, is occupied by buildings in use for business.
- 1.13.00 "Civil infraction" means an act or omission which is prohibited by law, which is not a crime as defined in section 5 of Act No. 328 of the Public Acts of 1931, as amended, being §75.05 of the Michigan Compiled Laws, and for which sanctions may be ordered.
- 1.14.00 "Civil infraction determination" means a determination that a person is responsible for a civil infraction based on one of the following:
- (a) An admission of responsibility for the civil infraction, or
 - (b) An admission of responsibility for the civil infraction, "with explanation", or
 - (c) A preponderance of the evidence at an informal hearing or formal hearing on the question under section 746 or 747 of the act, or
 - (d) A default judgment for failing to appear as directed by a citation or other notice at a scheduled appearance under section 745(3)(b) or 745(4) of the Act, at a scheduled informal hearing under section 746 of the Act, or at a scheduled formal hearing under section 747 of the Act.
- 1.15.00 "Commercial vehicle" means every motor vehicle which is used for the transportation of passengers for hire or which is constructed or used for the transportation of goods, wares, or merchandise. The term also means a motor vehicle which is designed and used for drawing other vehicles and which is not constructed to carry any load thereon, either independently or as any part of the weight of a vehicle or load so drawn.

- 1.16.00 "Controlled substance" means a controlled substance as defined by Act No. 196 of the Public Acts of 1971, as amended, being §335.301 et seq. of the Michigan Compiled Laws.
- 1.17.00 "Conviction" means a final conviction, the payment of a fine, a plea of guilty or *nolo contendere* if accepted by the court; or a finding of guilt or probate court order of disposition for a child found to be within the provisions of chapter XII of Act No. 288 of the Public Acts of 1939, (being sections 712A.1 to 712A.28 of the Michigan Compiled Laws), on a traffic law violation charge, regardless of whether the penalty is rebated or suspended.
- 1.18.00 "Crosswalk" means either of the following:
- (a) That part of a roadway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable highway, or
 - (b) A portion of a highway, at an intersection or elsewhere, which is distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- 1.19.00 "Curb loading zone" means a space which is adjacent to a curb and which is reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.
- 1.20.00 "Department" means the Department of State.
- 1.21.00 "Driver" means every person who drives, or is in actual physical control of a vehicle.
- 1.22.00 "Explosives" means any chemical compound or mechanical mixture which is commonly used, or intended to be used, for producing an explosion and which contains an oxidizing and combustive unit or other ingredient in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture might cause such a sudden generation of highly heated gases that the resultant gaseous pressures would be capable of producing destructible effects on contiguous objects or of destroying life or limb.
- 1.23.00 "Farm tractor" means every motor vehicle that is designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
- 1.24.00 "Flammable liquid" means any liquid that has a flash point of 70 degrees Fahrenheit or less, as determined by a tagliabue or equivalent closed-cup test device.
- 1.25.00 "Freight curb loading zone" means a space which is adjacent to a curb and which is provided for the exclusive use of vehicles during the loading or unloading of freight.
- 1.26.00 "Governmental unit" means an incorporated city, an incorporated village, or a township.

- 1.27.00 "Gross weight" means the weight of a vehicle without load plus the weight of a load.
- 1.28.00 "Handicapper" means a person who has a physical characteristic categorized as a handicap which limits ambulation or which necessitates the use of a wheelchair for mobility. The term also means a person who is blind.
- 1.29.00 "Implement of husbandry" means every vehicle which is designed for agricultural purposes and which is used exclusively in agricultural operations. The transportation in a trailer of seeds, fertilizers, or sprays, which will be used to plant, fertilize, or spray, between a place of storage or supply and farms is an agricultural operation.
- 1.30.00 "Intersection" means either of the following:
- (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of 2 highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways that join at any other angle might come in conflict.
 - (b) Where a highway includes 2 roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If such intersecting highway also includes 2 roadways 30 feet or more apart, then every crossing of 2 roadways of the highways shall be regarded as a separate intersection.
- 1.31.00 "Laned roadway" means a roadway that is divided into 2 or more clearly marked lanes for vehicular traffic.
- 1.32.00 "Law of another state" means a law or ordinance enacted by another state or by a local unit of government in another state.
- 1.33.00 "Limited access highway" means every highway, street, or roadway where owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at such points and in such manner as may be determined by the public authority that has jurisdiction over such highway, street, or roadway.
- 1.34.00 "Moped" means a 2 or 3-wheeled vehicle with operable pedals which is equipped with a motor that does not exceed 50 cubic centimeters piston displacement, which produces 1.5 brake horsepower or less, and which cannot propel the vehicle at a speed of more than 25 miles per hour on a level surface.
- 1.35.00 "Motorcycle" means every motor vehicle which has a saddle or seat for the use of the rider and which is designed to travel on not more than 3 wheels in contact with the ground, but excludes a tractor.

- 1.36.00 "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but which is not operated upon rails.
- 1.37.00 "Official time standard" means that hours named in this code mean hours of standard time or daylight saving time, whichever is in current use in this governmental unit.
- 1.38.00 "Operator" means every person who is in actual physical control of a motor vehicle on a highway.
- 1.38.05 "Owner" when referring to a motor vehicle, means any of the following: (1) any person, firm, association, or corporation renting a motor vehicle or having the exclusive use thereof, under a lease or otherwise, for a period that is greater than 30 days, or (2) except as otherwise provided in 257. 401a of the Michigan Compiled Laws, a person who holds the legal title of a vehicle, or (3) a person who has the immediate right of possession of a vehicle under an installment sale contract.
- 1.39.00 "Parking" means standing a vehicle, whether occupied or not, upon a highway when not loading or unloading, except when making necessary repairs.
- 1.40.00 "Passenger curb loading zone" means a place which is adjacent to a curb and which is reserved for the exclusive use of vehicles during the loading or unloading of passengers.
- 1.41.00 "Pedestrian" means a person afoot.
- 1.42.00 "Person" means every person, firm, co-partnership, association, or corporation and its legal successors, but does not include the state, a political subdivision of the state, or an employee of the state operating within the scope of his or her duties.
- 1.43.00 "Police officer" means a sheriff or his or her deputies, a village marshal, an officer of the police department of a city, a village, a township, and an officer of the Michigan State Police.
- 1.44.00 "Private driveway" means a piece of privately owned and maintained property which is used for vehicular traffic, but which is not opened for or normally used by the public.
- 1.45.00 "Private road" means a privately owned and maintained road which allows access to more than one residence or place of business, which is normally open to the public, and on which persons other than the owners may travel.
- 1.46.00 "Prosecuting attorney" means the attorney general, the prosecuting attorney of a county, or the attorney representing a local unit of government.
- 1.47.00 "Railroad" means a carrier of persons or property on cars, other than street cars, which are operated on stationary rails.

- 1.48.00 "Railroad train" means a steam engine or electric or other motor, with or without coupled cars, which is operated on rails, but does not include a street car.
- 1.49.00 "Residence district" means the territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.
- 1.50.00 "Right-of-way" means the privilege of the immediate use of a highway.
- 1.51.00 "Roadway" means that portion of a highway which is improved, designed, or ordinarily used for vehicular travel. If a highway includes 2 or more separate roadways, the term "roadway" shall refer to a roadway separately and not to all such roadways collectively.
- 1.52.00 "Safety zone" means the area or space which is officially set apart within a roadway for the exclusive use of pedestrians and which is protected and so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
- 1.53.00 "School bus" means every motor vehicle, except for a station wagon, with a manufacturer's rated seating capacity of 8 or more children which is owned by a public, private, or governmental agency and which is operated for the transportation of children to or from school. The term also means a motor vehicle, except for a station wagon, that is privately owned and operated for compensation for the transportation of children to or from school. The term does not include a bus that is operated by a municipally owned transportation system or by a common passenger carrier certificated by the public service commission.
- 1.54.00 "School crossing" means a crosswalk that is designated by the department of transportation, a county road commission, or a local authority as any place to be used by school children for crossing a street or highway.
- 1.55.00 "School-crossing guard" means a person who is 18 years of age or older and who is authorized to supervise children who use a school crossing as provided in section 613c of the Act.
- 1.56.00 "Semi-trailer" means every vehicle, with or without motive power, other than a pole-trailer, which is designed to carry persons or property and to be drawn by a motor vehicle and which is so constructed that some part of its weight and that of its load rests on, or is carried by, another vehicle.
- 1.57.00 "Sidewalk" means that portion of a street which is between the curb lines or the lateral lines of a roadway and the adjacent property lines and which is intended for the use of pedestrians.
- 1.58.00 "Special mobile equipment" means every vehicle which is not designed or used primarily for the transportation of persons or property and which is incidentally operated or moved over the highways, including, but not limited to: farm tractors, road construction or maintenance machinery, mobile office trailers, mobile tool shed trailers, mobile trailer units used for housing stationary construction

equipment, ditch-digging apparatus, well-boring apparatus, and well-servicing apparatus.

- 1.59.00 "Stand" or "standing" means the hailing of a vehicle, other than for the purpose of and while actually engaged in, receiving or discharging passengers. |
- 1.60.00 "Stop" when required, means the complete cessation of movement. |
- 1.61.00 "Stop" or "stopping", when prohibited, means the halting, even momentarily, of a vehicle, whether occupied or not. The terms do not apply to the halting of a vehicle which is necessary to avoid conflict with other traffic or which is in compliance with the directions of a police officer or traffic-control sign or signal. |
- 1.62.00 "Street" or "highway" means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. |
- 1.63.00 "Taxicab" means a licensed public motor vehicle for hire which is designated and constructed to seat not more than 10 persons and which is operated as a common carrier on call or demand. |
- 1.64.00 "Taxicab stand" means a fixed area in the roadway which is set aside for taxicabs to stand or wait for passengers. |
- 1.65.00 "Through highway" means every state trunk line highway or any other highway at the entrance to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same. |
- 1.66.00 "Tow-away zone" means a zone where parking, stopping, or standing is not permitted, as indicated by proper signs, and where vehicles parked in violation of the signs are towed away to keep the roadway clear for traffic movement. |
- 1.67.00 "Traffic" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances, either singly or together, while using a highway for purposes of travel. |
- 1.68.00 "Traffic-control devices" means signs, signals, markings, and devices which are not inconsistent with this ordinance and which are placed or erected by authority of a public body or official who has jurisdiction for the purpose of regulation, warning, or guiding traffic. |
- 1.69.00 "Traffic-control order" means an order which officially establishes the location of traffic-control devices and traffic-control signals on the highways of this state by the authority that has jurisdiction over such highways and which is filed with the county clerk of the county traversed by such highways. A certified copy of the order shall be prima facie evidence in all courts of the issuance of such order. |
- 1.70.00 "Traffic-control signal" means a device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed. |

- 1.71.00 "Traffic division" means the traffic division of the police department of a city, a village, or a township, or, if a traffic division is not established, then the term shall be deemed to refer to the police department of the city, village, or township.
- 1.72.00 "Trailer" means every vehicle, with or without motive power, other than a pole-trailer, which is designed to carry property or persons and to be drawn by a motor vehicle and which is constructed so that no part of its weight rests upon the towing vehicle.
- 1.73.00 "Trailer coach" means every vehicle which is primarily designed and used as temporary living quarters for recreational, camping, or travel purposes and which is drawn by another vehicle.
- 1.74.00 "U-turn" means a turn made on a roadway or in an intersection by a vehicle for the purpose of reversing its direction of travel.
- 1.75.00 "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn on a highway, except devices which are moved exclusively by human power or which are used exclusively on stationary rails or tracts and except for a mobile home as defined in section 2 of Act No. 419 of the Public Acts of 1976, as amended, being §125.1102 of the Michigan Compiled Laws.

* * * * *

- 5.69. ~~Registration License~~ plates required; violation ~~punishable~~ constitutes a as ~~misdemeanor~~ civil infraction.
- (1) A person shall not operate or park on the streets of the City of Troy ~~is governmental unit~~ any vehicle which is required to be registered pursuant to ~~the act~~ state law, unless the vehicle bears valid registration plates issued for it. A person who violates this section is responsible for a civil infraction.
- ~~(2) A violation of this section is punishable as a misdemeanor.~~
- 5.69a ~~Registration~~ Plates ~~plates~~; ~~Attachment~~ attachment, ~~Display~~ display; ~~Violation~~ violation constitutes a civil infraction.
- ~~(1)~~ A registration plate issued for a vehicle shall be attached to the rear of the vehicle. ~~Except~~ except that a registration plate issued for a truck tractor or road tractor shall be attached to the front of that vehicle. A person who violates this section is responsible for a civil infraction.
- ~~(2)~~ A registration plate shall ~~at all times~~ be securely fastened in a horizontal position to the vehicle for which the plate is issued so as to prevent the plate from swinging. The plate shall be attached at a height of not less than 12 inches from the ground, measured from the bottom of the plate, in a place and position which is clearly visible. The plate shall be maintained

free from foreign materials that obscure or partially obscure the registration information, and in a clearly legible condition. A person who violates this section is responsible for a civil infraction.

~~(3)-~~ A registration plate ~~or~~ and the expiration tab on the registration plate shall ~~be of a different color designated by the secretary of state with a marked contrast between the color of the registration plate and the numerals or letters on the plate. The secretary of state may provide distinctive registration plates for vehicles conform to the color, contrast and design designated by the Michigan Secretary of State or, if from a state other than Michigan, the registration plate and tab must conform to that state's requirements for color, contrast and design.~~ A person who violates this section is responsible for a civil infraction.

~~(4)-~~ A person shall not attach a name plate, insignia, or advertising device to a motor vehicle registration plate ~~in a manner which~~ that obscures or partially obscures the registration information. A person who violates this section is responsible for a civil infraction.

~~(5)-~~ A person shall not operate a motor vehicle which has a name plate, insignia, or advertising device attached to a motor vehicle registration plate in a manner which obscures or partially obscures the registration information. A person who violates this section is responsible for a civil infraction.

~~6. — A person who violates this section is responsible for a civil infraction.~~

~~(Rev. 12-2-91)~~

5.70. Registration certificate; signature required; possession; display; violation as civil infraction.

~~(1)~~ Upon receipt of a registration certificate, the owner shall write his or her signature thereon in ink in the space provided. A person who violates this section is responsible for a civil infraction.

~~(2)(1)~~ The certificate of registration shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving or in control of such vehicle who shall display the same upon demand of a police officer. A person who violates this section is responsible for a civil infraction.

~~(2) — A person who violates this section is responsible for a civil infraction.~~

5.70a. Registration; title; Change change of address; notice; violation as civil infraction.

(1) If a person, after making application for or obtaining the registration of a vehicle or a certificate of title, moves from the address named in the application and as shown on a registration certificate or certificate of title, the person, within 10 days after moving, shall notify the secretary of state in writing, and shall include both ~~of the old and new~~ addresses address. A person who violates this section is responsible for a civil infraction.

~~(2) — A person who violates this section is responsible for a civil infraction.~~

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, ____.

Matt Pryor, Mayor

Tonni Bartholomew. City Clerk

August 6, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Gary A. Shripka, Assistant City Manager/Services
Lori Grigg Bluhm, City Attorney
Carol K. Anderson, Parks and Recreation Director

Subject: Municipal Credit and Community Credit Agreement

Recommendation

It is recommended that the contract between SMART and the City be approved. This agreement states that the City will transfer Municipal Credit funds in the amount of \$76,084 and Community Credit funds in the amount of \$94,827 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities.

It is further recommended that the City Council approve the expansion of the Dial-a-Ride service to include the Birmingham area and that the Birmingham and Troy services be merged.

Background

In past years the City of Troy has designated that all Municipal and Community Credit transportation funds be returned to SMART to support a dial-a-ride system operating exclusively within the city boundaries of Troy. Similarly, the City of Birmingham returned funds to SMART for the operation of a Birmingham dial-a-ride system.

For fiscal year 2004, it is proposed that Troy and Birmingham retain all municipal and Community Credit dollars for use in supporting local transportation programs (i.e. Troy Medi-go Plus and Birmingham Area Senior Coordinating Council transportation services). If this is done by both Troy and Birmingham, SMART has agreed to continue dial-a-ride services, but merge the service areas of the Troy and Birmingham dial-a-rides. An analysis by SMART has indicated that the combined number of vehicles available (5) is sufficient to maintain good response time to ride requests, while effectively improving the available travel destinations for riders. Service hours would remain the same.

This proposal benefits all parties. SMART is able to more efficiently dispatch its dial-a-ride vehicles, while Troy and Birmingham retain additional funding for local transportation services.

Troy Municipal and Community Credits FY 2004

In past years the City of Troy has designated that all Municipal and Community Credit transportation funds be returned to SMART to support a dial-a-ride system operating exclusively within the city boundaries of Troy. Similarly, the City of Birmingham returned funds to SMART for the operation of a Birmingham dial-a-ride system.

For fiscal year 2004, it is proposed that Troy and Birmingham retain all Municipal and Community Credit dollars for use in supporting local transportation programs (i.e. Troy Medigo Plus and Birmingham Area Senior Coordinating Council transportation services). If this is done by both Troy and Birmingham, SMART has agreed to continue dial-a-ride services, but merge the service areas of the Troy and Birmingham dial-a-rides. An analysis by SMART has indicated that the combined number of vehicles available (5) is sufficient to maintain good response time to ride requests, while effectively improving the available travel destinations for riders. Service hours would remain the same.

This proposal benefits all parties. SMART is able to more efficiently dispatch its dial-a-ride vehicles, while Troy and Birmingham retain additional funding for local transportation services.

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT FOR FY - 2004

I Matt Pryor on behalf of the City of Troy apply to SMART for our Municipal and Community Credits for the period July 1, 2003 to June 30, 2004, and agree that the Municipal Credit/Community Credit Master Contract, which is incorporated herein by reference, will form part of this agreement.

Our community agrees to use the \$76,084 in **Municipal Credit** funds available to us as follows:

- (1) Transfer of \$ _____ to _____
TRANSFeree COMMUNITY
At the cost of \$ _____
- (2) Transportation program operated/administered by the community
(Includes Charters, Van/Bus Program, Taxi Reimbursement)
At the cost of \$ 76,084
- (3) Transportation service purchased from SMART
(Includes SMART Tickets/Passes, Shuttle Service, Dial-A-Ride)
At the cost of \$ _____
- Total \$ \$76,084**

Our community agrees to use the \$94,827 in **Community Credit** funds available to us as follows:

- (1) Transfer of \$ _____ To _____
TRANSFeree COMMUNITY
At the cost of \$ _____
- (2) Transportation program operated/administered by the community
(Includes Charters, Van/Bus Program, Taxi Reimbursement)
At the cost of \$ 94,827

- (3) Transportation service purchased from SMART
(Includes SMART Tickets/Passes, Shuttle Service, Dial-A-Ride)

At the cost of \$ _____

- (4) Capital Purchases

At the cost of \$ _____

Total \$ \$94,827

Exhibits A and B as completed are attached hereto and made a part hereof.

Capital purchases permitted with Community Credits are subject to applicable state and federal regulations, and SMART procurement guidelines. When advantageous, SMART may make procurements directly. Reimbursement for purchases made by a community requires presentation of proper documentation to support the purchase (i.e. purchase orders, receiving reports, invoices, etc.).

City of Troy

By: _____
Matt Pryor

Dated _____

Its: Mayor _____

**Suburban Mobility Authority for
Regional Transportation**

Dated _____

By: _____
Dan G. Dirks
General Manager

EXHIBIT A
PROJECT DESCRIPTION
TROY MEDI-GO PLUS

Definition:

Troy Medi-Go Plus is a nonprofit community organization dedicated to helping Troy senior citizens and adults with disabilities in need of transportation get to medical appointments and other important destinations.

Service Area:

11 Mile, Mound, University, and Southfield Roads for medical appointments and work and educational trips. City of Troy for shopping and Troy Community Center.

Service Hours:

Monday through Friday from 8:30 a.m. to 4:30 p.m.

Eligible User Group:

Troy residents age 60 and older and Troy residents with disabilities age 18 and older.

Fare Structure:

Free to all users but donations are encouraged.

Service Level:

Advance reservation. Two weeks in advance for medical appointments and standing reservations are accepted. One week in advance for the Community Center and two days in advance for shopping.

Service Mode:

Four vehicles. One 10 passenger van, one seven passenger van, one nine passenger van and one six passenger van. All but the six passenger vehicle are wheelchair accessible.

EXHIBIT BPROJECT OPERATING BUDGETMunicipality: Troy Medi-Go, Inc.PROJECT: Budget year 2004Contract Period: 7-1-03 to 6-30-04

Account No: _____

OPERATING EXPENSES:Administrative Fee
(10% max. of MC & CC funds)Driver Wages 75,719.00Fringe Benefits 24,388.00Gasoline & Lubricants 10,017.00Vehicle Insurance 10,800.00Parts, Maintenance Supplies 12,998.00

Mechanic Wages _____

Fringe Benefits _____

Dispatch Wages 34,500.00Other (Specify) 12,412.00

TELEPHONE, OFFICE EXP.

Sub-Total (Operations & Maintenance) _____

200,834.00Purchased Service

Taxi Service _____

Charter Service _____

SMART Bus Tickets _____

SMART Shuttle Service _____

SMART Dial-A-Ride _____

SUB-TOTAL _____

CAPITAL EQUIPMENT:(Only list purchases to be made with Community Credits)

Computer Equipment _____

Software _____

Vehicle _____

Maintenance Equipment _____

Other (Specify) _____

Sub-Total _____

TOTAL EXPENSES: _____

EXHIBIT B (Page 2)REVENUES:

Municipal Credit Funds

170,000.

City of Troy

Community Credit Funds

15,000

Braumont

Specialized Services Funds

20,450.

Smart

General Funds

Farebox Revenue

6164.

Rider Donations

In-Kind Service

Special Fares (Contracted Service)

Other (Specify) *interest*336.211,950.TOTAL REVENUE:(Note: Total Expenses must equal Total Revenues)

Submitted By:

Title

Date:

Dan MaymilleTreasurer8/7/03

40-011 97-659 C-26
7-21-97

MUNICIPAL AND COMMUNITY CREDITS MASTER AGREEMENT

Between

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

And

City of Troy

THIS AGREEMENT is made and entered into between the SUBURBAN MOBILITY AUTHORITY for REGIONAL TRANSPORTATION (SMART), an entity organized under the provisions of Act 204 of the Public Acts of 1967, as amended, and the City of Troy hereinafter referred to as the "CONTRACTOR".

WHEREAS, SMART, pursuant to the provisions of Act 204, Public Acts of 1967, as amended, has been empowered to acquire, plan, construct, operate and maintain transportation systems and facilities within its jurisdiction, and

WHEREAS, SMART, has established a Municipal Credit Program, pursuant to the provisions of Act 51 of 1951, as amended, and for which SMART's policy is stated in Appendix "B (1-3)", attached and incorporated herein; and

WHEREAS, SMART, has established a Community Credit program pursuant to action taken by the Board of Directors of SMART as stated in Appendix "C" attached and incorporated herein; and,

WHEREAS, the CONTRACTOR is desirous of participating in the Municipal Credit and Community Credit Programs, hereinafter called the "PROJECT";

NOW, THEREFORE, the parties agree as follows:

1. THE PROJECT

The CONTRACTOR shall undertake and complete the public transportation services of the PROJECT in accordance with the terms and conditions of this Agreement as specified in Exhibit "A" and in conformance with the Budget as set forth in Exhibit "B", attached hereto and made a part hereof.

2. INDEPENDENT CONTRACTOR

The CONTRACTOR is an independent contractor and retains the right to exercise full control and supervision over its employees, their compensation and discharge; and agrees to be solely responsible for all matters relating to payment of such employees, including compliance with social security, withholding, and all other regulations governing

such matters. The CONTRACTOR agrees to be responsible for its own acts and dishonest or fraudulent misconduct, or intentional torts committed by its employees during the life of this Agreement.

3. REVIEW AND APPROVAL OF SUBCONTRACTING

The CONTRACTOR shall submit any proposal to subcontract any portion of the PROJECT to SMART for its review and approval. Any third-party responses to the proposal shall be submitted to SMART for its information. Third-party contracts to undertake any part of the work contemplated under this Agreement and any amendments thereto shall be approved by SMART prior to execution of the subcontract by the CONTRACTOR. Approval by SMART shall not be construed to relieve the CONTRACTOR of any responsibility for the fulfillment of this Agreement. All subcontractors employed by the CONTRACTOR must meet the insurance and/or other requirements contained in this Agreement as applicable to the work subcontracted.

4. PROJECT REPORTING

The CONTRACTOR shall report monthly and cumulatively to SMART all scheduled and actual operating hours, actual mileage, actual ridership statistics, and actual farebox collections. Such reports shall be submitted on forms supplied by SMART containing the information required by Appendix "D" attached hereto and made a part hereof. The forms shall be submitted to SMART on or before the tenth (10th) day of the month immediately following the month being reported. Upon the completion of the Agreement, along with the final reimbursement invoice, the CONTRACTOR shall submit to SMART a "Final Statement of Expenses and Revenues". Information to be submitted on this form is provided in Exhibit "D".

5. MAINTENANCE OF RECORDS

The CONTRACTOR shall keep all records of the PROJECT pertaining to hours of operation, miles covered, passengers served and revenue collected from passengers or on behalf of passengers. Such records shall be maintained for three (3) years from the date of final payment by SMART under this Agreement.

6. AUDIT OF ACCOUNT AND RECORDS

The CONTRACTOR shall permit SMART or its authorized representatives to audit CONTRACTOR's records pertinent to PROJECT operations at any reasonable time during the life of the Contract and any reasonable time within three (3) years after the expiration of the Contract. Such audit may extend to the records of related entities and subcontractors to the extent necessary to verify hours, costs and miles of operation, ridership statistics and revenues collected by the PROJECT.

At SMART's request, an audit of the books and records shall be performed by an independent certified public accounting firm in conformance with the requirements set forth by the State of Michigan, Bureau of Urban and Public Transportation in order to maximize funding to the region.. The cost of the audit shall be borne by the Contractor.

7. COMPLIANCE WITH LAWS

The CONTRACTOR shall, in the performance of this Agreement, comply with applicable State, Federal and local statutes, ordinances and regulation. The CONTRACTOR and its subcontractors shall meet the requirements of the Michigan Commercial Driver's Licensing Standards, the Federal Drug-Free Workplace Act, and any other applicable employee related legislation.

8. NON-DISCRIMINATION

The CONTRACTOR shall not discriminate against any employee or applicant because of race, color, sex, age, handicap, religion, marital status, national origin, place of birth, or sexual orientation.. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONTRACTOR agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by SMART setting forth the provisions of this non-discrimination clause. In connection with the performance of this Agreement, the CONTRACTOR shall comply with the provisions of the State of Michigan "Prohibition of Discrimination in State Contracts", as set forth in Appendix "A", attached hereto and made a part hereof. The CONTRACTOR further covenants that it will comply with the Civil Rights Act of 1964 (78. Stat. 252) and the Michigan Civil Rights Act of 1967 (Act No. 453, PA 1967) and will require a similar covenant on the part of any consultant or subcontractor employed in the performance of this Agreement.

9. INSURANCE

(A) The CONTRACTOR shall maintain Comprehensive General Liability insurance, with limit of not less than \$1,000,000 including Contractual Liability.

(B) The CONTRACTOR shall maintain automobile No-Fault liability insurance on PROJECT vehicles of not less than \$250,000 per person, \$500,000 per occurrence, for Bodily Injury and \$250,000 Property Damage.

(C) The CONTRACTOR shall maintain Workers Compensation - Michigan Statutory Coverage, and Employer's Liability of \$100,000.

(D) The CONTRACTOR may self-insure as an alternative to maintaining Workers Compensation and/or automobile liability insurance, subject to specific approval

by the General Manager of SMART, upon receipt of evidence of certification by Michigan Department of Labor (for Workers Compensation) or Michigan Secretary of State (for automobile liability).

(E) The CONTRACTOR's insurance policies shall name SMART as an Additional Insured and provide 30 days advance notice of termination or reduction in coverage. The CONTRACTOR shall furnish to SMART certificates of insurance showing the limits of liability, policy dates and insurance carriers.

10. INDEMNIFY AND SAVE HARMLESS

The CONTRACTOR shall indemnify, defend and save harmless SMART, its officers, agents, employees, and members of the SMART Board from all claims, losses and damages including costs and attorney fees, occurring or resulting from any act, omission, or negligence of, or act chargeable to, the CONTRACTOR, its officers, agents, employees, or subcontractors, arising under and pursuant to this Agreement.

11. PASSENGER FARES

The CONTRACTOR shall collect or credit passenger fares as specified in Exhibit "A".

12. SUBSIDY, PAYMENTS AND ADVANCE

SMART will charge the CONTRACTOR an administrative fee of 5% of their total Municipal Credit funds.

The SMART Board of Directors has decided that no administrative fee shall be charged for the provision of Community Credit funds.

SMART shall subsidize the net cost of the PROJECT(s) (gross cost less all revenues, contributions, grants and subsidies from sources other than SMART) using Municipal Credit and Community Credit funds up to the maximum indicated in the annual contract).

SMART may advance to the CONTRACTOR up to 80% of the full compensation due to the CONTRACTOR during the contract year. The balance, (20%), will be paid when the CONTRACTOR has submitted to SMART, all required operating reports, invoices and the "Final Statement of Expenses and Revenues", all of which are shown or defined in Appendix "D", attached to the Agreement.

13. TERMINATION BY LEGISLATIVE OR COURT ACTION

This Contract shall be canceled, effective immediately, upon either Legislative or Court action causing a termination in whole or in part of State and/or Federal funds to SMART.

14. TERMINATION OF CONTRACT FOR CAUSE

If either party hereto, through any cause within its control, shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or shall violate any of the covenants, agreements or stipulations herein, the party without fault shall give the other party prompt written notice of such default. Within thirty (30) days of such notice, the non-defaulting party shall have the right to terminate this Agreement for cause. If such right of termination for cause is exercised, the non-defaulting party, shall be entitled to damages sustained by such breach, including costs and attorney fees sustained in an effort to collect these damages.

15. TERMINATION OF CONTRACT - DISCONTINUATION OF SERVICE

SMART, by written notice, may terminate this Agreement in whole or in part for the convenience of SMART or when, in its discretion, the CONTRACTOR will not be able to successfully complete the Agreement, or where continuation of the Agreement would not produce results commensurate with the further expenditure of funds. SMART shall provide the CONTRACTOR with written notice of such termination at least sixty (60) days before the effective date of such termination.

16. COORDINATION REQUIREMENTS

SMART may require that Municipal Credits and Community Credits be used in coordination with SMART service. "Community Based Service Plans" are the preferred method of coordination.

17. ASSIGNMENT

This Agreement shall not be assigned by the Contractor without the prior written consent of SMART. However, this Agreement shall be binding upon the successors or assigns, of the respective parties.

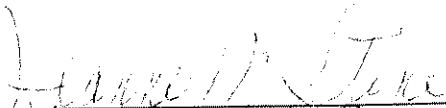
18. EFFECT

This Agreement shall become binding when signed by both parties.

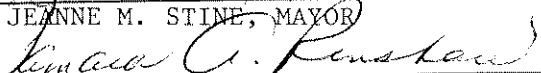
City of Troy

Date: 7-21-97

BY


JEANNE M. STINE, MAYOR


BY


TAMARA A. RENSHAW, CITY CLERK

SUBURBAN MOBILITY AUTHORITY FOR
REGIONAL TRANSPORTATION

Date: 9-11-97

BY


Richard C. Kaufman, General Manager

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract, the contractor agrees as follows:

1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or handicap that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

August, 1985

APPENDIX B-1

SUBURBAN MOBILITY AUTHORITY - REGIONAL TRANSPORTATION

MUNICIPAL CREDIT POLICY

1. Pursuant to State law, providing for Municipal Credits, SMART has established a municipal credit fund. That fund is subdivided into specific allocations to each city, township, and village in Wayne, Oakland and Macomb Counties on a per capita basis.
2. Such funds shall first be used to defray part or all of LSS* net operating costs which exceed two-thirds of the total LSS net operating cost, for each LSS.
3. If no LSS exists serving a municipality, such funds may be used beginning one year after the date of their establishment for other purposes, by special application from a municipality, as follows:
 - (a) Interim support of municipally operated special transportation services
 - (b) Interim support of user side subsidy (taxi) programs. Reduced or free fares for senior and handicapped citizens on regular and/or SMART approved services;
 - (c) Reduced or free fares for senior and handicapped citizens on regular and/or SMART approved services;
 - (d) Purchases of subscription services from SMART;
 - (e) Purchase of charter bus service (must be open to the public)
 - (f) Other municipal transportation initiatives, especially related to ride-sharing, which may be proposed by communities and specifically approved by the SMART Board of Directors.

Use for such other purposes shall constitute "Municipal Credit Projects".

4. Such funds may be used in Municipal Credit Projects only for operation costs, exclusive of lease or rental charges for vehicles.
5. Municipal Credit Projects shall be approved only when the maximum feasible coordination of services is guaranteed between the proposed project and both regular SMART services and proposed or existing Municipal Credit Projects in nearby communities.
6. An interim Municipal Credit Project is a service which will be incorporated into the regional SMART system after one year of funding. After specific evaluation during a period of interim support, Municipal Credit Projects under Section 3 (d), above, may be funded on a continuing, rather than interim basis. To the extent that such projects funded on a continuing basis utilize a municipality's credit funds, those funds will not be available for simultaneous support of LSS.

APPENDIX B-1 (Pg. 2)

7. If such funds cannot be used under either Section 2 or 3 above, within two years of their establishment, they will be applied to improvement of intra-county service in the same county as their credited community.
- (*) An "LSS" or a "Local Service System" is a SMART community transit service, open to the general public in a specifically-defined geographical area, substantially smaller than a county, usually one community or a combination of local communities. An LSS is operated with SMART-owned vehicles and other capital equipment and is operated under SMART established fare policies, as an integral component of the regional public transportation system. Local Service Systems carry passengers on short trips which are not accommodated by the major regional lines, including feeder-distributor services to main lines, and typically including a mixture of demand-responsive and route operations.

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Amendment of Municipal Credit Policy

-
- Whereas, Section 10l of Act 51 as amended provides "municipal credit" funds to communities within the SMART service area; and
- Whereas, Section 10l of Act 51 establishes eligibility requirements in order for a community to receive municipal credits; and
- Whereas, Section 10l of Act 51 authorizes SMART to adopt procedures and standards for the distribution of municipal credits within its service area; and
- Whereas, Section 10l of Act 51 provides that SMART shall have the final decision as to what constitutes a proper expenditure for use of municipal credits; and
- Whereas, the funds received by SMART for payment of the municipal credits are received by SMART pursuant to the funding formula contained in section 10e of Act 51; and
- Whereas, that funding formula grants SMART the right to receive monies from the State for municipal credits, only, as part of the formula that provides SMART a 40% reimbursement of its operating expenses; and
- Whereas, the obvious purpose of this State funding formula for public transportation is to promote public transportation by requiring that other sources of revenue, primarily local funds, be used to expand the availability of public transportation; and
- Whereas, the operating expenses of SMART used to establish its right to the 40% state operating subsidy used for municipal credits comes from revenue generated by the various communities from within the SMART service area; and
- Whereas, the sources of the funds received by SMART that are used to create its operating expenses which establish SMART's right to receive its state operating assistance are the following: farebox, local funds, federal operating assistance; and

- Whereas, each community within the SMART service area should be treated similarly in terms of their participation in creating SMART's right to receive the funds used for municipal credits, or in participating in activities that further the policy reflected in the State funding formula to expand the availability of public transportation; and
- Whereas, each of the communities within the SMART service area should have a right to their fair share of the revenues that come to SMART in order to satisfy their requirement to provide a 60% match to receive their local funds; and
- Whereas, all the communities within the SMART service area contribute to the amount of federal operating assistance received by SMART; and
- Whereas, a 60% local share match is a fair and equitable requirement;
- Therefore, be it resolved that each community within the SMART service area shall receive municipal credits based upon the community providing a 60% local share match. In addition to any of its own funds a community uses to provide public transportation in order to satisfy its local share match, each community shall be entitled to use the following items to the extent these items were generated from their community: farebox revenue, local funding and federal operating assistance to the extent the federal operating assistance is increased by a community's presence in the SMART service area.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on May 28, 1996.

May 28, 1996

Date


Board Secretary

No. FY-96-84

SUBURBAN MUNICIPALITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION:

Amendment of Municipal Credit Policy

- Whereas, On May 28, 1996 the Board of Directors of SMART adopted a Resolution entitled "Amendment of Municipal Credit Policy" and
- Whereas, Clarifications and modifications of that Resolution are warranted, and
- Whereas, Section 101 of Act 51 as amended provides that any Municipal Credit not applied for or expended by any community shall be used by the Authority within the county where the community is located and;
- Whereas, the Oakland County Public Transportation Authority (OCPTA) and the Wayne County Public Transportation Authority (WCPTA) are best able to determine where and in what manner the Municipal Credit funds, not applied for or spent by a given community, should be spent on public transportation services within their respective county, and
- Whereas, Macomb County, which does not have a public transportation authority, should receive public transportation services commensurate with that which is being provided to Oakland and Wayne counties through their public transportation authority; now therefore be it
- Resolved, That (1) the local share match requirement established in the Board of Directors Municipal Credit Policy as amended on May 28, 1996, shall apply only to Municipal Credit funds that are received by SMART pursuant to the match requirements of Act 51 (2) any Municipal Credit funds not received or spent by a community shall be provided to the OCPTA, or the Oakland County Commission, as directed by the Oakland County representative to the SMART Board, if the community is in Oakland County, and to the WCPTA, if the community is in Wayne County; (3) The OCPTA and the WCPTA shall determine in what manner the funds they receive shall be spent in their respective county consistent with the applicable state statutes and SMART policies for public transportation; (4) Macomb County shall receive public transportation services from SMART, with a cost equivalent to the amount of money provided pursuant to the foregoing, either to OCPTA or WCPTA whichever is

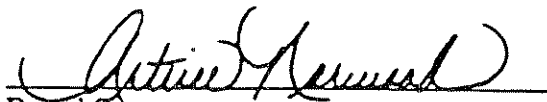
Resolution of the
SMART Board of Directors
August 21, 1996
Page two

greater; (5) the Macomb County representatives to the SMART Board of Directors shall direct the General Manager as to how those funds shall be used in Macomb County.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on August 21, 1996.

August 21, 1996
Date


Board Secretary

No. FY-97-02

Appendix "C"

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

COMMUNITY CREDITS PROGRAM POLICY

Community credits will allow local units of government contributing a 1/3 mill tax to SMART to expand current transportation programs that in many instances were started with Municipal Credit funds. Municipalities will receive a 100% or 200% increase of funding based on the level of SMART fixed route service operating in the community. Credits will double to local units of government that receive regular fixed route service and triple where there is no regular fixed route service. Such funds may be used but are not limited to the following:

1. To purchase capital equipment such as computers, computer software, vehicles, maintenance equipment, etc.;
2. To expand existing transportation programs currently funded with Municipal Credits or Specialized Services funds;
3. To develop a new local transportation program;
4. To use as matching funds for state and/or federally sponsored programs;
5. To purchase a higher level of SMART community transit or fixed route service, if available; and
6. Other transportation initiatives proposed by the municipality and approved by the SMART Board of Directors.

A local unit of government may select one or more programs to accommodate the various transportation characteristics of their area. To receive Community Credits, a municipality must develop a transportation coordination plan that at a minimum:

Identifies the expressed existing and proposed needs of the community;

Identifies all the transportation providers within the community or service area (including SMART);

Accentuates coordination and suggests how community based service, community transit and fixed route service avoid duplication of efforts; and

Encourages utilization of SMART services (i.e., Quo Vadis scheduling, maintenance, joint capital purchasing, training, etc.).

Appendix "C" (Pg. 2)

The coordination plans may be delayed until January, 1997, to allow local units of government to comprehensively review the needs in their area.

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Adoption of A Policy for the Community Credits Program

- Whereas, The SMART Board of Directors is responsible for the design and implementation of public transportation in suburban Wayne, Oakland and Macomb counties; and
- Whereas, During the 1/3 mill election in 1995, the SMART Board of Directors adopted a policy that would return a portion of the taxes received communities; and
- Whereas, This funding would be used to expand community based or community transit service; and
- Whereas, Funding to expand community based transit service is an effective way in providing an enhanced paratransit system realizing better quality to the customers at the most efficient cost, now therefore be it
- Resolved, That the SMART Board of Directors authorize the General Manager to adopt a policy for the Community Credit Program. Also to authorize the General Manager to execute agreements with local units of government for the distribution of Community Credit funds.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Authority for Regional Transportation held on March 14, 1996.

Date

Board Secretary

No: _____

EXHIBIT "A"

PROJECT DESCRIPTION

- INSTRUCTIONS: Please complete in detail your project description. Description must include all projects (van programs, charters, taxi programs, SMART tickets, etc.).
- DEFINITION: Provide a narrative description of the PROJECT.
- SERVICE AREA: Identify the geographical service boundaries of the communities served.
- SERVICE HOURS: Define the days and hours of service.
- ELIGIBLE USER:
GROUP: Define the eligible user of the service; (age, elderly, disabled, etc.)
- FARE
STRUCTURE: Define the fares to be charged to each eligible user.
- SERVICE LEVEL: Define the criteria that describes what level of service a user can expect; e.g., must a user call 24 hours in advance?
- SERVICE MODE: Describe the type (seating capacity, wheelchair accessible) and number of vehicles used in providing the service.

EXHIBIT B

PROJECT OPERATING BUDGET

MUNICIPALITY (CONTRACTOR): _____

OPERATING EXPENSE:

Administrative Fee (10%) max.) _____

Driver Wages _____

Fringe Benefits _____

Gasoline, Oil _____

Vehicle Insurance _____

Parts, Maintenance Supplies _____

Mechanic Wages _____

Fringe Benefits _____

Dispatch Wages _____

Other (Specify) _____

SUB-TOTAL _____

PURCHASED SERVICE:

Taxi Service _____

Charter Service _____

SMART Bus Tickets _____

SMART Shuttle Service _____

SMART Dial-A-Ride _____

SUB-TOTAL _____

EXHIBIT B (Pg. 2)

CAPITAL EQUIPMENT:

Computer Equipment	_____
Software	_____
Vehicle	_____
Maintenance Equipment	_____

SUB-TOTAL

TOTAL EXPENSES

=====

REVENUES:

Municipal Credit Funds	_____
Community Credit Funds	_____
General Funds	_____
Farebox Revenue	_____
In-Kind Service	_____
Special Fares (Contracted Ser.)	_____
Other	_____

TOTAL REVENUE:

=====

SERVICE PROJECTIONS

Total Operating Hours	_____
Total Operating Miles	_____
Total Passengers	_____

APPENDIX D

STATISTICAL AND FINANCIAL REPORTS

REPORT: MONTHLY OPERATING REPORT, MUNICIPAL CREDIT
AND COMMUNITY CREDIT PROJECTS

PURPOSE: The information supplied on the Monthly Operating Report is used by SMART to obtain a general overview of the PROJECT in terms of the volume of passengers served, amount of fares collected, miles covered and number of hours operated. This is then compared to how the PROJECT had operated previously in these categories. This comparison also gives an indication of whether the PROJECT is generally achieving its goals.

PROCEDURE: One copy of the completed form is submitted monthly to the SMART Municipal Credit and Community Credit Program, 660 Woodward, Detroit, Michigan 48226 9on or before the 10th day of the month following. The month being reported is preferred to be a calendar month; if some other time period is being reported, specify the period and the rationale for using it.

Enter the following information on the appropriate lines of the form entitled "Exhibit C".

- A. Month and year (of report period).
- B. The name of the municipality and the name of the PROJECT being reported. For example: "Oak Park Senior Citizen Transportation Program".
- C. Your Account Number is 48249. Please enter this on all reports.
- D. Each of the numbered lines of the report are to capture two types of information. First is the information for the report month. The second is cumulative figures since the beginning of the contract.

The following information should be entered on lines (1-5).

- 1. The number of hours the service was planned to operate or scheduled to operate.
- 2. The number of hours the service actually operated.
- 3. The number of miles the service actually operated.
- 4. The actual amount of fares or donations collected.
- 5. The actual number of one-way trips or passengers served. This information must be broken down as follows:

APPENDIX D (Pg. 2)

Weekdays: Monday through Friday given in one figure for the month
Saturday: if applicable
Disabled: all disabled persons of any age
Other: all passengers who are not disabled and who are under the age of 65.
Current Month
Totals: give the cumulative totals since the beginning of contract

E. Print or type the name and title of the person preparing the report.
This person then signs, dates and submits the report.

REPORT: FINAL STATEMENT OF EXPENSES AND REVENUES

PURPOSE: At the completion of this Contract, SMART needs a summary statement of the expenses and revenues related to the PROJECT.

PROCEDURE: One copy of the form entitled "Exhibit D" must be submitted as soon as possible upon completion of the Contract. Place a zero (-0-) on those lines where there were no expenses or revenues. Place the total amount of expenses and revenues on the appropriate lines. The form is submitted to SMART Municipal Credit and Community Credit Program, 660 Woodward Avenue, Detroit, Michigan 48226.

Note: SMART will not release the final payment to the CONTRACTOR until all reports have been properly completed by the CONTRACTOR and submitted to SMART.

MONTHLY REIMBURSEMENT

If the Contract between the Municipality and SMART is for a large enough sum to call for monthly or periodic reimbursements, then the Municipality would submit an invoice to SMART. The invoice or reimbursement request must be on the Municipality's letterhead or its own invoice forms; no such forms are provided by SMART. The invoice should contain as a minimum, the following information.

A. Account Number

B. PROJECT Name

APPENDIX D (Pg. 3)

- C. Period covered by the invoice
- D. Number of Hours of service provided by the Municipality during the invoice period.

Please note that the Contract stipulates that at least 20% of the CONTRACTOR's compensation will be held by SMART until all required reports have been completed and submitted to SMART with SMART's satisfaction.

EXHIBIT C

Monthly Operating Report

Municipal/Community Credit Projects

MONTH BEING REPORTED: _____, 19____

PROJECT NAME: _____

ACCOUNT NUMBER _____

	Current Month	Year-To Date
1. Planned number of hours of operation	_____	_____
2. Actual number of hours of operation. (Note: These figures must agree with the figures used in applicable invoices.)	_____	_____
3. Actual number of miles	_____	_____
4. Actual amount of fares or donations collected	_____	_____
5. Actual number of passengers served:		

Elderly (65 and over and Non- handicapped	Handicapped (of any age)	Other: (Non- Handicapped and Under 65 Years)	Current Month Total's	Year - To Date Totals

6. Person preparing this report:

NAME: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

EXHIBIT D

FINAL STATEMENT OF EXPENSES AND REVENUES

PROJECT: _____

Contract Period _____

Account No: _____

EXPENSES

ADMINISTRATIVE FEE: (Max, 10% of total Budget) _____

OPERATIONS:

Driver Wages _____

Fringe Benefits _____

Gasoline & Lubricants _____

Vehicle Insurance _____

Other _____

Total Operations _____

MAINTENANCE:

Mechanic Wages _____

Fringe Benefits _____

Parts _____

Purchased Service _____

Other _____

Total Maintenance _____

OTHER EXPENSES (specify type or nature of expense)

EXHIBIT D (Pg. 2)

TOTAL EXPENSES

REVENUES

Municipal Credit Funds

Community Credit Funds

Farebox Revenues

Other (source of other revenues) _____

TOTAL REVENUES (Note: Total Expenses must equal Total Revenues) _____

SUBMITTED BY:

TITLE:

DATE:

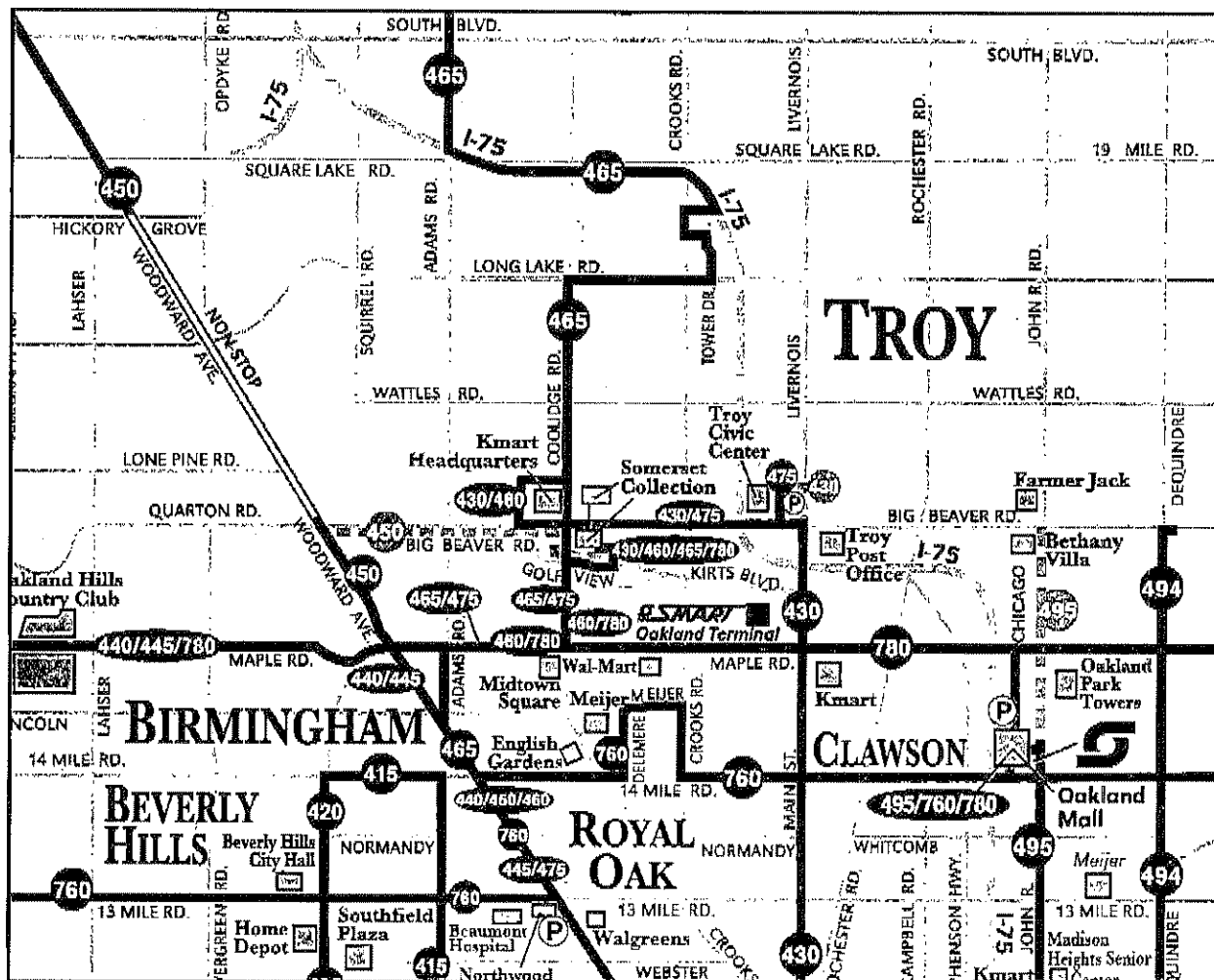


Suburban Mobility Authority for Regional Transportation

NEW!

Troy/Birmingham Dial-A-Ride Service

PROPOSED



Dial-A-Ride will pick up in the order requests are received, usually within one hour after calling. Call for a ride and a SMART small bus will be dispatched for pick up. Advanced reservation not necessary.

Time:6:00 a.m. to 6:00 p.m., Monday through Friday

Service Area:Troy, Birmingham & Beverly Hills
(Beaumont Hospital and Meijer Royal Oak)

Phone:(248) 362-3436
(Phone opens at 5:30 a.m. and closes at 5:30 p.m.)

September 16, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director (B)
Steven J. Vandette, City Engineer *SV*

SUBJECT: Approval Of Informal Quote – Sod Replacement on Big Beaver

RECOMMENDATION

The Engineering Department is requesting approval of an informal quote for the replacement of sod along the south side of Big Beaver Road, west of Coolidge between the sidewalk and the street. It is recommended that Council waive formal bidding procedures and authorize Michigan Highway Contracting to perform the work at an estimated total cost of \$13,328.

BACKGROUND

During the reconstruction of Big Beaver between Adams and Coolidge the sprinkler system that waters the median and both sides of Big Beaver abutting the K-Mart property was severely damaged. The result was dead grass and weeds along the south side of Big Beaver for which the County Road Commission alleges that the grass and sprinkler system was in poor condition when the project started and therefore the road contractor is not at fault. Staff believes that the road contractor damaged the sprinkler system and has documentation that the grass was in very good condition at the start of the project. Staff maintains that the road contractor is responsible for all costs associated with replacement of sod in the areas not watered due to damage to the sprinkler system.

Work to replace sections of the sprinkler system in the median and greenbelt areas between the curb and sidewalk was recently completed as part of the Big Beaver Project. Whereas the grass in the median should come back after watering as it appears dormant rather than dead; the grass along the south side of Big Beaver is dead and full of weeds.

The Oakland County Road Commission has authorized the road contractor to replace the sod but there would be no federal participation and the County maintains that the cost would be 100% city. After our review of the quote submitted by Dan's Excavating, it was determined that the cost was not within the fair market range for this type of work. Additional quotes were sought so that

a fair market price could be obtained and the work could proceed this fall by the city's contractor rather than performed under the Road Commission's contract at a high price and potentially 100% city cost. Due to the length of time required to bid this work, approximately two months from bid to award, it is requested that Council waive formal bidding procedures and authorize Michigan Highway Contracting to perform the work at an estimated total cost of \$13,328. Other quotes received for this work was \$29,601.79 from Dan's Excavating, the Big Beaver Road contractor, and \$19,163.40 from Torre & Bruglio, Inc.

City staff will be submitting a claim to the Road Commission for Oakland County for full reimbursement of the cost of replacing the sod along Big Beaver.

The Downtown Development Authority authorized funding for sod replacement by resolution 03-15 (copy attached).

BUDGET

Funding is available from the Downtown Development Authority.

**MICHIGAN**
HIGHWAY
CONTRACTINGDATE: 9-12-03FAX: 248 524-1838TO: Neil Schroeder (City of Troy)FROM: John Fraser (734) 216-9503NO. OF PAGES: 1COMMENTS: Quote for sod:
2240 sy sod replacement x \$5.95/sy = 13,328 ✓(Dispose of old sod &topsoil, sod areas)

NEW BUSINESS

Student Representative – Fred Wong

Fred Wong was introduced to the Board.

Approval the Sale of Community Center Junior Lien Bonds

Resolution: 03-14

Moved by: York

Seconded by: Price

RESOLVED, that a Resolution amending the authorizing Resolution and approving the sale of not to exceed \$4,025,000 Community Center Facility Junior Lien bonds be approved, and a copy of the Resolution be attached to the original minutes of this meeting.

Yeas: All (9)

Absent: Hodges, Kennis, Maxson, Reschke

Sod Replacement Big Beaver

Resolution: 03-15

Moved by: Culpepper

Seconded by: Frankel

RESOLVED, that the Downtown Development Authority authorize the Executive Director to provide funding, if necessary, for the replacement of sod and equipment for the property south of Big Beaver and west of Coolidge between the sidewalk and street.

Yeas: All (8)

Nays: Pryor


Absent: Hodges, Kennis, Maxson, Reschke

PUBLIC COMMENT

Two citizens addressed the Authority.

September 15, 2003

To: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer 

Subject: Design Services for Section 30 – Water Main
Project No. 03.503.5

RECOMMENDATION

Staff recommends that City Council approve the attached proposal and authorize Spalding DeDecker Associates, Inc. (SDA) to proceed with plans and specifications for the replacement of existing water mains utilizing directional drilling methods along Derby, Edenborough, Eton, Witherbee, Graefield, Brooklawn, Brooklawn Court, Nampa Court, Wrenwood and Norwich in Section 30. This design work will be done in accordance with the City's General Engineering Contract with SDA, as authorized by City Council Resolution No. 2002-06-379, dated June 17, 2002. The not-to-exceed fee for design services is \$60,000.

BACKGROUND INFORMATION

The Water Department identified in the 2003-04 budget the northwest quarter of Section 30 as a location for water main replacement due to the water main type, size, age and history of water main breaks in the area. This area of Section 30 presented a number of design and construction challenges, including: a mature residential area with small lot widths, crowded right-of-way with mature canopy trees and existing utilities and well maintained streets. Staff met with SDA to discuss the project due to the physical impacts of using the traditional method of open cut trenching for water main installation in this area. SDA was directed to provide a design proposal comparing pipe bursting and directional drilling for the replacement of the existing water main. These are relatively new methods of construction that have some significant advantages over traditional methods when the right site conditions are present.

Pipe bursting involves pulling a bursting hammer through the old cast iron water main, which fractures the old piping and increases the diameter of the hole. A new larger diameter high-density polyethylene pipe (HDPE) is attached to the hammer and follows the bursting operation to replace the old water main in the same location. During the pipe bursting operation excavation is required for entry and exit pits. No surface disruption is necessary along the pipe burst route. Local excavation would still be required to make valve, fire hydrant and tee connections to the new water main. A temporary water supply system is also required to keep residents in service while the pipe bursting is completed, segment by segment. Pros and cons are listed on Page 2 of the SDA proposal for the pipe bursting alternative.

The estimated construction cost for pipe bursting is \$1,341,000. The not-to-exceed fee for design services would be \$40,000.

Directional drilling uses a drilling head to bore a hole for the new water main in a different location than the existing water main. The drilling head is electronically controlled so that a specific location, both horizontally and vertically can be maintained. A steel rod follows the drilling head and is used to pull the new HDPE water main back through the bore hole. This method does not require entry and exit pits as all drilling is done from the surface of the ground. Local excavation would be required to make valve, fire hydrant and tee connections to the new water main. Existing water service is maintained via the existing water main while the directional drilling is completed. Once the construction is complete, individual service leads can be transferred to the new main with local excavations. Pros and cons are listed on Page 3 of the SDA proposal for the directional drilling alternative.

The estimated construction cost for directional drilling is \$1,095,250. The not-to-exceed fee for design services would be \$60,000. Design costs for directional drilling would be \$20,000 more than pipe bursting due to a larger survey effort and design scope required by SDA. This additional cost is offset by a savings of \$245,750 in construction by directional drilling methods versus pipe bursting. Additionally, directional drilling does not require construction of a temporary above ground water distribution system thereby reducing impacts on residents and has less above ground physical impacts on streets, trees, sidewalks and drive approaches.

FUNDING

Funds for the design and construction of the project are included in the 2003-04 Water Fund, account number 555.7972.03503.5.

RECEIVED

SEP 12 2003

September 11, 2003

ENGINEERING

William J. Huotari, P.E.
Deputy City Engineer
City of Troy
500 West Big Beaver
Troy, Michigan 48084



Re: Section 30 Water Main Replacement (various locations)
Engineering Services Proposal
City of Troy Project No. 03.503.5 (Section 30 Water Main)
SDA Job No.: PR03-345

Dear Mr. Huotari:

Pursuant to our meeting on July 29, 2003, Spalding DeDecker Associates (SDA) is pleased to provide you with the attached engineering evaluation and proposal for the above referenced project. SDA proposes to provide both design and construction engineering services in accordance with SDA's engineering services contract with the City of Troy.

This project will involve the installation of approximately 10,000 linear feet of 8" and 12" replacement water main, valves, connections and fire hydrants along the following streets within section 30; Derby, Eton, Edenbrough, Norwich, Wrenwood, Engle and Nampa Ct. and parts of Witherbee and Brooklawn streets. Work will include connection to the existing water system at Big Beaver Road, Coolidge Road, Witherbee and Brooklawn Streets. Once the water main is in place, the reconnection of individual service leads to the new main will occur. Abandonment of the existing cast iron water mains and appurtenances will complete the project.

SDA has walked the route of the proposed water main reconstruction and gathered information on existing utilities and right of way. As discussed at our meeting, there are a number of design and construction difficulties, which include; a mature residential area with small lot widths, limited right of way with mature canopy trees and existing utilities which limit water main replacement location and construction options. Derby Street borders the City of Birmingham with City of Troy utilities located on the north side of the street and right of way. This further constrains the area available to relocate the water main. Traditionally, water main replacement construction using open cut methods and ductile iron water main has been used in the past. We concur with your opinion that open cut construction is not practical for this area due to these site limitations and that consideration should be given to one of two alternatives for construction which are detailed as follows:

Pipe Bursting of Existing Mains with installation of HDPE (High-Density Polyethylene) pipe

This construction method involves pulling a bursting hammer through the old cast iron water main pipe, which fractures the old piping and increases the diameter of the hole. A new larger diameter high-density polyethylene pipe (HDPE) is attached to the hammer and follows the bursting operation to replace the old water main in the same location. During the pipe bursting process the only excavation that is required is for entry and exit pits. No surface disruption is

905 South Boulevard East • Rochester Hills, MI 48307
Phone (248) 844-5400 • Fax (248) 844-5404
Website: www.spaldingdedecker.com

Mr. William J. Huotari, P.E.
Page 2
September 11, 2003

necessary along the pipe burst route. Pipe bursting of 8" and 12" water main can be performed in segments as long as 1,000 feet. Local excavation would still be required to make valve, fire hydrant and tee connections to the new water main.

This project would be broken into a number of construction segments. Prior to the water main pipe bursting operation, a temporary water supply would be provided to the residents along a defined main segment. This would involve running a small diameter distribution line along the surface with connection to each home. This segment would be isolated from the existing water system and shut down. The bursting process, construction of valves, hydrants and tees and reconnection of the new system would be completed. Individual service reconnections would then be made along the segment with local excavations. This process would be repeated for each segment.

The following is listing of the pros and cons of this type of construction:

PROS

- Limits construction disruption/damage
- Utilizes same location as existing main
- Limited survey and design effort required

CONS

- Requires temporary water services
- Possible vibratory damage to road/utilities
- HDPE pipe scarring from cast iron shards
- No winter construction

We have attached some relevant literature and examples describing the use of this technique for your information.

Direction Drilling of New Water Main with installation of HDPE (High Density Polyethylene) pipe

This construction method uses a drilling head to bore a hole for the new water main in a different location than the existing main. The drilling head is electronically controlled so that a specific location, both horizontally and vertically can be maintained. Depending on soil conditions each bore can be up to 1,500 feet in length and bores can be placed along tight horizontal bends in most cases. A steel rod follows the drilling head and is used to "pull" the new HDPE water main material back through the bore hole.

Directional Drilling can be used in an open corridor as narrow as five (5) feet between other existing utilities (except sanitary sewer). A corridor of this width does appear to exist throughout the project area based upon our review of the site. This technique does not require entry and exit pits as all drilling is done from the surface of the ground. Local excavation would be required to connect new valve/well and fire hydrant connections.

This construction will allow the existing main to stay in service during construction without the need to run temporary service leads to individual homes. Once the construction is complete individual service leads can be reconnected to the new main with local excavations and the old cast iron main can be abandoned.

The following is listing of the pros and cons of this type of construction:

PROS

- Limits construction disruption/damage
- No temporary water service to residents
- Horizontal and Vertical Flexibility
- Winter construction possible

CONS

- Requires relocation of the water main
- Possible vibratory damage to road/utilities
- Normal survey and design effort required
- Must positively identify location of adjacent utilities

The replacement water main material used for each of these alternatives is High-Density Polyethylene (HDPE) pipe. HDPE water main material is fused together to provide a seamless (no joints) product between structures with a high-pressure rating that is chemically inert. Valve chambers, hydrant connections and water main tees are installed along the water main but only require localized excavations for placement. HDPE pipe is being used in many communities for water main replacement where this method of construction is the only real alternative to the disruption caused by open cut.

SDA has prepared a preliminary estimate for the construction cost of each of the two alternative methods (See attached exhibits A & B). Estimated construction cost using Pipe Bursting is \$1,341,000, as compared to \$1,095,250 for directional drilling. Based on the evaluation of each alternative and the estimated costs it is our recommendation that the project move forward using Directional Drilling construction.

Design Engineering Services

Upon selection of the construction method, SDA will provide engineering design services based on our 2003 Consultant Services Agreement. SDA proposes the following scope of engineering services for each alternative as follows:

1. Establish survey control, identify right-of-way limits and perform topographic survey along the projects routing (limited topography for pipe bursting).
2. Provide location staking for and coordinate geotechnical investigations.
3. Prepare construction plans (limited for pipe bursting), specifications and an engineers estimate of probable costs.
4. Submit and secure required construction permits.
5. Prepare bid documents and administer the bidding process.
6. Prepare a bid tabulation and recommendation for contractor award.

For selection of the directional drilling alternative, the design fee is estimated at \$60,000. Should the City of Troy select the Pipe Bursting alternative, the design fee is estimated at \$40,000 (a reduction of \$20,000 based on a more limited survey and design scope).

Mr. William J. Huotari, P.E.

Page 4

September 11, 2003



It should be noted that this design fee estimate does not include costs for the following services; Soils Investigations, Environmental Services or Easement Document Preparation. These services can be provided if necessary and as needed pursuant to our hourly basis fee schedule.

Construction Engineering Services

SDA will also provide Construction Engineering services for this project on a time and materials basis, estimated as a percent of construction cost, as follows:

A.	Construction Administration	2.0%
B.	Construction Staking, Layout and Record Drawings	2.5%
C.	Construction Observation	5.5%

We are prepared to provide engineering services for this project upon your authorization. Please do not hesitate to contact me should you have questions with regard to this proposal.

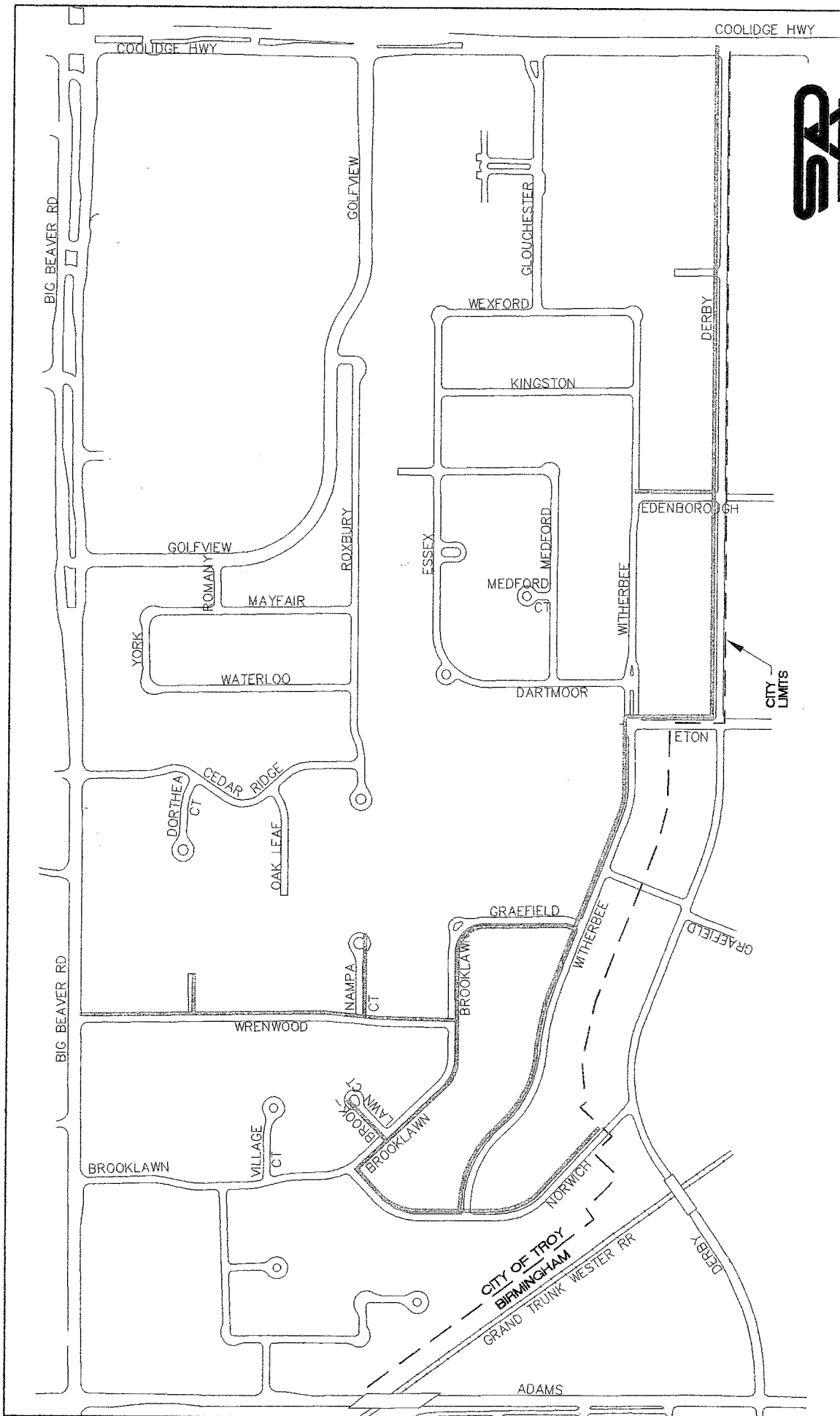
Very Truly Yours,

SPALDING DEDECKER ASSOCIATES, INC.

David W. Bluhm, PE
Project Manager

dwb
attachments

cc. David A. Lakin, PE, Spalding DeDecker Associates
SDA File PR02-466



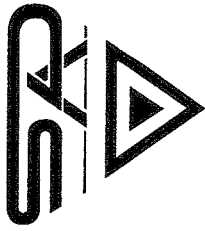
Engineering & Surveying Excellence
Since 1954

LEGEND

WATERMAIN REPLACEMENT	
---	CITY LIMITS

DRAWN	DATE	SPALDING DeDECKER ASSOCIATES, INC.	
L. RODRIGUEZ	9/11/03	ENGINEERS	SURVEYORS
CHECKED	DATE	905 SOUTH BLVD. EAST	
D. BLUHM	9/11/03	ROCHESTER HILLS, MI 48307	
		PHONE: (248) 844-5400	
		FAX: (248) 844-5404	
		www.spaldingdecker.com	

SECTION 30 WATERMAIN REPLACEMENT CITY OF TROY



**SPALDING DeDECKER ASSOCIATES, INC. - COST ESTIMATE FOR: WATERMAIN REPLACEMENT PROJECT - COST FOR YEAR: 2003
PIPE BURSTING ALTERNATIVE**

PROJECT: Section 30 Water Main Replacement Project	JOB NO.: TR02-000
PREPARED BY: T. Reynolds	DATE: 8/14/03
CHECKED BY: D. Bluhm	Revised: 9/11/03

NO.	ITEM	QUANTITY	UNIT	UNIT	
				PRICE	AMOUNT
	Water Main Replacement				
	Mobilization	1	LS	51,000.00	51,000.00
	Bonds, Ins., Set-Up and AVI	1	LS	20,000.00	20,000.00
	Temporary Water Service	1	LS	70,000.00	70,000.00
	Pipe Burst - 8" HDPE Watermain	7,150	LF	65.00	464,750.00
	Pipe Burst - 12" HDPE Watermain	2,950	LF	75.00	221,250.00
	Hydrant Connection	14	EA	2,250.00	31,500.00
	12x12x12" TSV&W	2	EA	6,500.00	13,000.00
	8" Gate Valve & Well	13	EA	2,500.00	32,500.00
	12" Gate Valve & Well	2	EA	4,000.00	8,000.00
	Abandon Existing 6" and 8" Water Main	1	LS	40,000.00	40,000.00
	Restoration - Class "A" Sod	4,000	SY	4.00	16,000.00
	Restoration - Miscellaneous	1	LS	40,000.00	40,000.00
	Individual Connections	216	EA	300.00	64,800.00
(1)	CONSTRUCTION COST SUB-TOTAL			\$	1,072,800.00
(2)	CONSTRUCTION CONTINGENCY (15%) & CONSTRUCTION ENGINEERING (10%)			\$	268,200.00
(3)	TOTAL CONSTRUCTION COST			\$	1,341,000.00



SPALDING DeDECKER ASSOCIATES, INC. - COST ESTIMATE FOR: WATERMAIN REPLACEMENT PROJECT - COST FOR YEAR: 2003
DIRECTIONALLY DRILLED

PROJECT: Section 30 Water Main Replacement Project
PREPARED BY: T. Reynolds
CHECKED BY: D. Bluhm
JOB NO.: TR02-000
DATE: 8/14/03
Revised: 9/11/03

NO.	ITEM	QUANTITY	UNIT	PRICE	AMOUNT
	Water Main Replacement				
	Mobilization	1	LS	42,000.00	42,000.00
	Bonds, Ins., Set-Up and AVI	1	LS	20,000.00	20,000.00
	8" HDPE Watermain - Directional Drill	7,150	LF	45.00	321,750.00
	12" HDPE Watermain - Directional Drill	2,950	LF	60.00	177,000.00
	Hydrant Connection	14	EA	2,250.00	31,500.00
	12x12x12" TSV&W	5	EA	6,500.00	32,500.00
	8" Gate Valve	13	EA	2,500.00	32,500.00
	12" Gate Valve	2	EA	4,000.00	8,000.00
	Abandon Existing 6" and 8" Water Main	1	LS	65,000.00	65,000.00
	Restoration - Class "A" Sod	2,000	SY	4.00	8,000.00
	Restoration - Miscellaneous	1	LS	30,000.00	30,000.00
	Individual Connections	216	EA	500.00	108,000.00
(1)	CONSTRUCTION COST SUB-TOTAL			\$	876,250.00

(2) CONSTRUCTION CONTINGENCY (10%) & CONSTRUCTION ENGINEERING (15%) \$ 219,000.00

(3) TOTAL CONSTRUCTION COST \$ 1,095,250.00

Pipebursting Water Main saves Money, Street Disruption

In 1996, the city of Grand Junction, CO, needed to replace a 60- to 70-year-old, 6-inch cast iron water main under two busy downtown streets. An open-cut would have been very disruptive, and a Colorado Department of Transportation (CDOT) requirement threatened to make it very expensive.

The situation was further complicated by the fact that the city wanted to up-size the main from 6" to 8". That's when the city decided to use Pipebursting.

The Pipebursting Process

Pipebursting can be used to replace 3-inch through 36-inch pipes made of any fractural material.

As the pipebursting tool bursts the old pipe and pushes it back into the surrounding soil, it also pulls in a new pipe. An expander on the tool increases the diameter of the hole slightly, so friction on the new pipe is not significant.

The pneumatic Hercules Pipebursting tool used in Grand Junction was manufactured by TT Technologies, Aurora, IL. Pneumatic tools are guided through an existing pipeline by a cable, but an internal reciprocating piston supplies most of the forward motion. While the primary job of the cable is to guide the bursting tool, it is also a source of additional power.

The Grand Junction replacement project was divided into two sections: one about

5,000' long and the other about 6,000'. Both sections were bid out as traditional dig-and-replace and Pipebursting.

The Pipebursting bid for the first section was about 20% less than open-cut replacement and about the same for the second section, due to the bidding climate.

"Two things made this project especially tough," explained Jeff Nimon, Project Manager, M.A. Concrete Construction, the contractor for the second section. "The first was the need to keep customers supplied with water service, and the second was breaking through all the stainless steel repair clamps that had been put on the line through the years."

Temporary Water Supply

Even though it was rather straightforward, maintaining a water supply to customers was an important part of the project. The original water main had gate valves installed every five or six city blocks. That determined the sections which could be taken out of service at any one time.

Prior to taking a section of the main out of service, the contractor ran a temporary service above ground. A 1-1/2" polyethylene pipe was connected to a fire hydrant and laid in the street against the curb to bypass the old main. At each meter box, a 3/4" line was teed off the temporary main and connected to the customer

service line in the box. As a courtesy, the meter was bypassed, so customers received free water until the main was replaced.

The stainless steel repair clamps might have presented more of a challenge to the Hercules Pipebursting tool if it had not been fitted with "The Schnoze." "The Schnoze is our secret weapon," explained David Holcomb, Vice President and Regional Sales Manager, TT Technologies. "It's a patented device we can place on the front of our pneumatic Pipebursting tools to concentrate the bursting force. This allows our tool to get a lot of production in situations where competitors just can't work."

Normally, when the Hercules head encountered a clamp, forward motion would stop, but the tool would continue to hammer against the clamp. After a minute or two of this action, the clamp would break and the tool would begin to move forward again. If the hammer action alone could not break the clamp, the pulling force could be increased to aid the breakthrough. In a few instances when the combined force was not successful, a small access pit was dug so the clamp could be removed by the Pipebursting crew.

"The couplings were the biggest problem we had with the project," Nimon said. "For years, every time the city had to make a repair, they would go in and use a repair coupling. TT

had to fit their equipment with a special tool to burst through those couplings. For the most part, we got through, but there were a few we got hung up on and had to take out by hand."

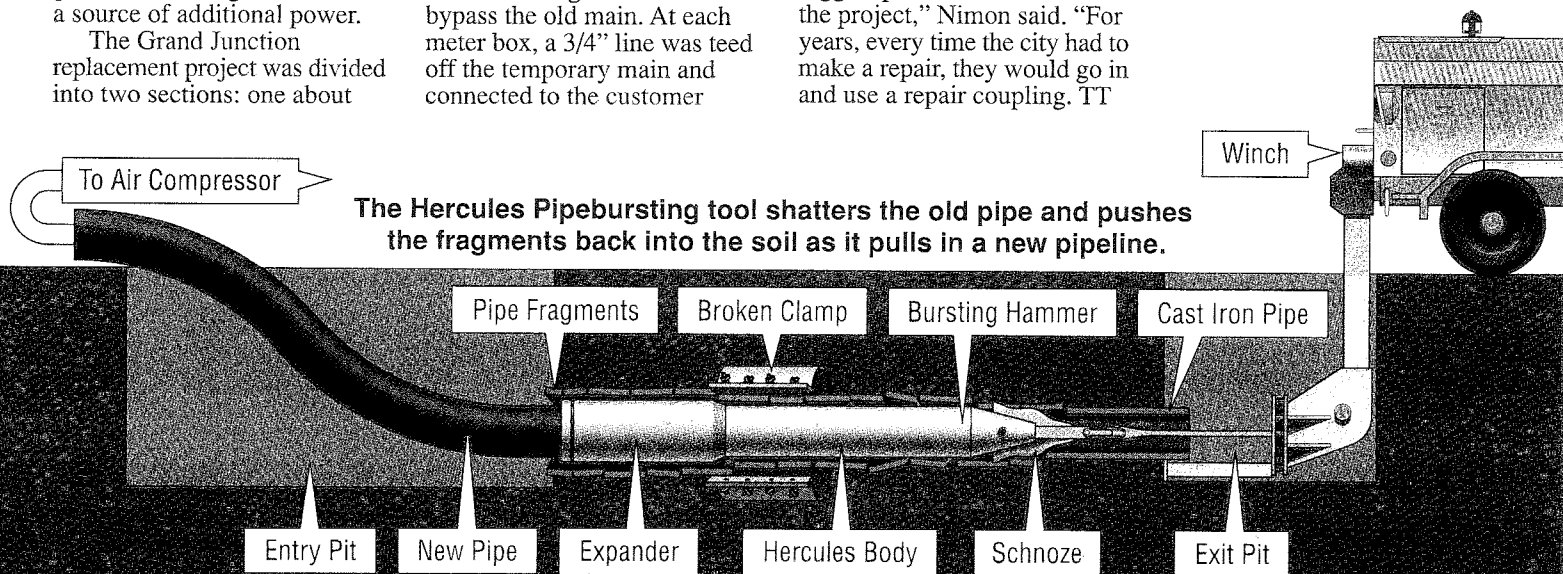
Reestablishing Service

"The new pipe was High Density Polyethylene, SDR 13.5," explained Trent Prall, Utility Engineer, City of Grand Junction, CO. "We could have gotten by with SDR 17, but we decided to beef up the thickness to allow for some scratching which might occur from the cast iron shards."

"We used butt-fusing above ground, and electrofusion couplings and service fittings from Central Plastics below ground," Nimon said. "Every place we had a hydrant or any other need for a tee, we used electrofusion couplings. We also used the electrofusion service saddles, which eliminated the need to put a Sidewinder fusion machine in the pit."

"We saved some money by using Pipebursting on this job," Prall said. "But, we also saved a lot of major disruption. In the future, we'll probably include Pipebursting anytime we're bidding a full-replacement job."

Reprinted with permission of WaterWorld Magazine, as excerpted in September, 1997



This Drawing Is Not To Scale



THE HDD Company, Inc.

Home

About Horizontal Directional Drilling

Experience

Capabilities

Contact

HDD Applications

Horizontal Directional Drilling (HDD), also called Directional Boring and directional drilling, is a method of installing underground pipes and conduits from the surface along a prescribed bore path. Installation lengths up to 6500' have been completed and diameters up to 48" have been installed in shorter runs. Most installations are considerably shorter and smaller diameter. The process is used for installing telecommunications & power cable conduits, water lines, sewer lines, gas lines, oil lines, product pipelines and casings used for environmental remediation. It is used for crossing waterways, roadways, congested areas, environmentally sensitive areas and any area where other methods are more expensive or not feasible. Use of HDD is growing rapidly and is expected to continue to increase for the foreseeable future.

HDD is used in place of other techniques for the following reasons:

- **Less traffic disruption**
- **Lower cost**
- **Deeper installation possible**
- **Longer installation possible**
- **No access pit required**
- **Shorter completion times**
- **Directional capabilities**
- **Safer for the environment**

The HDD Procedure

Planning

Every project begins with thoughtful planning. Ground conditions are determined, surrounding utilities positively located, bore profile is surveyed and plotted, safety and environmental issues are considered before work commences.



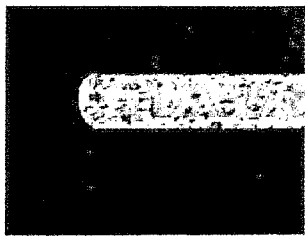
Pilot Hole

The process begins when the directional drill machine pushes a bore head connected to hollow pipe into the ground at an angle. As each joint of drill pipe is pushed into the ground a new one is added behind and the joints torqued tight using a hydraulic vise.

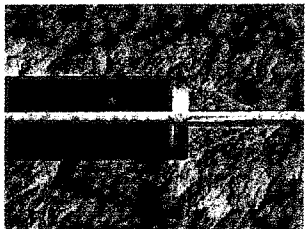


Drilling Fluid

From the bore head flows a high pressure jet of drilling (boring) fluid which is generally a mixture of bentonite clay and water. Boring is accomplished through the cutting action of the jet of fluid and/or a

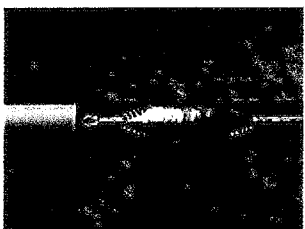


rotating a drill bit. In hard, non-jettable soils, a drill bit can be turned by rotating the drill pipe or with a mud motor which converts the hydraulic pressure of the fluid to mechanical rotation. The drilling fluid cuts soil, suspends and carries cuttings out of the bore hole, seals the bore hole, lubricates and cools the pipe string.



Reaming

Upon reaching the exit point, the bit is detached and the end of the drill pipe is attached to a reamer or hole opener (for rock) if the bore hole must be enlarged. The reamer is pulled back while rotating the drill pipe with as many consecutive passes as required. Drill pipe is added behind the reamer or hole opener so that there is always drill pipe in the bore hole.



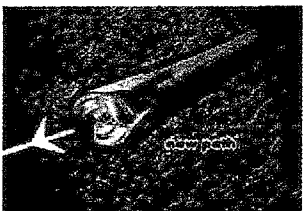
Pull-back

When the bore hole is approximately 25% larger than the pipe to be installed, the end of the pipe is connected to a packer/reamer or barrel reamer and then a swivel attached to the pipe to be installed and pullback commences. For some telecommunications or power cable projects, the drill pipe itself becomes the conduit and is left in the ground upon reaching the exit point. This type of installation is known as "drill and leave".



Steering - Jettable Soils

In jettable soils, an angled bit is used and the drill pipe is rotated, if necessary, to bore straight. To steer, rotation is stopped, the angle of the bit is aligned to the desired direction and forward thrust is applied. The directed jet of the drilling fluid and forward thrust cuts a new path.



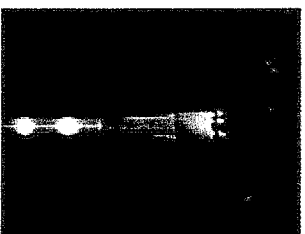
Steering - Rock

In rock, a mud motor is used to rotate the bit and the drill string is not continuously rotated. Steerage is accomplished by rotating the angle of the mud motor to the desired direction.



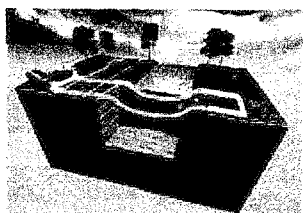
Locating & Guidance - Walkover

The most commonly used equipment for determining the location of the bore head is called a 'walk-over' locating system. A sonde (transmitter) behind the bore head registers angle, rotation, magnetic direction and temperature data. The information is then encoded into an electro-magnetic signal which is transmitted through the ground to the surface. At the surface a receiver is manually positioned over the sonde signal and the signal decoded and steering directions relayed to the operator of the drill machine.



Locating & Guidance - Downhole

When conditions do not allow a receiver to be positioned over the sonde or interference causes degradation of the signal, a more sophisticated 'downhole system' is used. The most commonly used type of downhole system is called a 'wire-line' and uses a wire to transmit the data up the inside of the drill pipe. At the surface the data from the wire is decoded by a computer to provide depth, rotation, direction (azimuth) and other information. Gaining in popularity are newer downhole wireless systems which transmit the



data through the ground via an electro-magnetic signal to a receiver. To compensate for potential magnetic interference, an artificial electro-magnetic grid is created at the surface using what is called a Tru-Traker® system.

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Jeannette Bennett, Director of Purchasing
Peggy Clifton, Director Of Human Resources
Charles T. Craft, Chief of Police

SUBJECT: Bid Waiver – Police Department Promotional and Entry Level Testing Services

RECOMMENDATION

City management recommends bid procedures be waived and City Council approve a contract with EMPCO Inc. to provide police lieutenant and sergeant promotional testing; as well as entry level police officer testing.

The cost for the promotional testing depends upon the number of candidates taking the examination based on the following fee schedule-

For police sergeant:

- Written Test - \$18 per test question (100 questions) and \$18 per candidate
- Assessment Center – Base fee of \$4,500 for six candidates, \$2,000 for each additional group of six or fraction thereof, \$300 per individual candidate, plus a mileage rate of \$.365 for the three assessors and the facilitator.

For police lieutenant:

- Assessment Center – Base fee of \$4,500 for six candidates, \$2,000 for each additional group of six or fraction thereof, \$300 per individual candidate, plus a mileage rate of \$.365 for the three assessors and the facilitator.

For entry level testing, the fee is assessed per candidate hired on a scale that decreases as the number of candidates hired increases. The number of candidates hired is dependent upon vacancies that occur during the next two years. The cost scale, which reflects the same cost as the 2001 testing, is as follows:

- Candidates 1 – 5 \$2,250
- Candidates 6 – 10 \$1,600
- Candidates 11 – 20 \$1,000
- Candidates 21 and above \$ 200

September 15, 2003

To: The Honorable Mayor and City Council
Re: Bid Waiver – Police Department Testing Services

BACKGROUND

It is anticipated that vacancies will soon exist in the police lieutenant and sergeant ranks. In addition, the entry level hiring eligibility list will expire September 20, 2003. In order to establish eligibility lists for these positions, a competitive test must be given. EMPCO Inc. has provided promotional testing services for the police department since 1990; and the department has been a part of EMPCO's Metro Police Testing Consortium, for entry-level officers, since 1996.

EMPCO has provided excellent service and the department is very satisfied with the manner they conduct promotional testing. They customize the test to meet the needs of the department, comply fully with Act 78 Commission requirements, and due to their 13-year track record have the confidence of the officers. They have proven to be fair and impartial.

The Metro Police Testing Consortium allows police officer candidates to take one test and be placed on eligibility lists, based on their score, of multiple police agencies. This approach increases the applicant pool and minimizes the possibility of competing with other departments for candidates. EMPCO advertises for candidates, conducts both the written and oral board portions of the entry exam, and provides participating agencies with a list of candidates who meet the requirements of that agency.

EMPCO recently purchased all the Michigan Municipal League's (MML) testing services. MML now refers those who desire testing to EMPCO. Included with this request is the correspondence from the MML, as well as a list of EMPCO's clients.

BUDGET INFORMATION

Funds for this professional service have been budgeted in the Contractual Service Account #305.7802.070.



CITY OF TROY
PERSONNEL DEPARTMENT

August 25, 2003

Dear Official:

In these difficult economic times, the League's value to its members is as important as at any time in our 104 year history.

As you know, the MML has provided written and oral employment testing programs to local governments in Michigan for a number of years. Although the testing program is designed to be a "fee for service" program, the League's general fund has provided substantial subsidy to the program from its inception. Like many of our members who are experiencing difficult financial times, the League has been evaluating its array of services in an attempt to make an appropriate decision about those services it can afford to continue offering.

With respect to our review of the employment testing services, three basic questions arose:

1. Can we provide the services at a high quality to our members?
2. Can we provide the services in a cost effective manner for both our members and the League?
3. Are there other options for our members from other public or private sector providers?

After performing this review that included input from a consultant, the League has decided to discontinue its "in-house" employment testing program as of September 30, 2003.

However, this does not mean that local governments that have utilized our services will be without a provider. While the League will no longer be providing testing services "in house," we are pleased to announce that we have identified a highly regarded company who will continue to provide quality testing services for our members. We are pleased to report that EMPCO, Inc. has purchased the League's testing services and will continue to provide written and oral testing services. EMPCO has been in the testing business since 1987. In speaking with a number of local officials who have utilized EMPCO's services, they all praised EMPCO for its quality of service, testing instruments, attention to detail and timeliness.

Furthermore, EMPCO has agreed to provide testing services, previously done by the League, at the same prices, for a period of a least one year.

President
KATE LAWRENCE
Mayor, Brighton

Vice President
MYRON FRASIER
Councilmember, Southfield

Trustees
ALEX ALLIE
City Manager, Huntington Woods

SHEILA COCKREL
Councilmember, Detroit

GRETCHEN DRISKELL
Mayor, Saline

CRAIG GIERKE
Councilmember, Escanaba

BARBARA HOLT
Mayor Pro Tem, Walker

ROBERT JONES
Mayor, Kalamazoo

KURT KIMBALL
City Manager, Grand Rapids

JAMES LEIDLEIN
City Manager, Harper Woods

THOMAS MARKUS
City Manager, Birmingham

SPENCER NEBEL
City Manager, Sault Ste. Marie

FLORENCE SCHRADER
Treasurer, Ubyly

MARGENE ANN SCOTT
Councilmember, Madison Heights

JAMES SINCLAIR
Councilmember, Rogers City

JOEL THOMPSON
Mayor, Otsego

MARTY WAZBINSKI
Mayor Pro Tem, Midland

JOSEPH YUCHASZ
Village President, Elk Rapids

Executive Director
GEORGE D. GOODMAN

A member of the National League of Cities

Web Address
www.mml.org

Headquarters Office
1675 Green Road, P.O. Box 1487
Ann Arbor, MI 48106-1487
Phone: 734-662-3246
Fax: 734-662-8083

Lansing Office
320 N. Washington Square, Suite 110
Lansing, MI 48933-1288
Phone: 517-485-1314
Fax: 517-372-7476

Northern Field Office
200 Minneapolis Avenue
Gladstone, MI 49837-1931
Phone: 906-428-0100
Fax: 906-428-0101



Specialists in
The Employment
Relationship

101 W. Big Beaver Rd.
Suite 1000
Troy, MI 48084-4152
Phone: (248) 528-8060
Fax: (248) 457-7001

September 3, 2003

Ms. Peggy Clifton
Human Resources Dir.
500 W. Big Beaver Rd.
Troy, MI 48084-5254

Dear Peggy:

Last week, you received a letter from Mr. George D. Goodman, Director, Michigan Municipal League. His letter stated that the League would refer local communities to Empco, Inc. for all promotional testing previously provided by the League.

Empco has purchased the testing services of the League. We are proud to be associated with the League as the preferred testing agency for its members. We will continue a strong relationship with the League and its members as we add the League's services to ours. While this will bring about some change, we hope to make the transition not only smooth, but also beneficial for all.

First, we would like to emphasize that we want to continue as your vendor for testing services. We hope to do this by building on the relationship you have had with the League.

Second, as President of Empco, I want to assure you that we will continue our tradition of producing the highest quality examinations - at reasonable prices. While Empco's customized examinations are priced higher than the fees traditionally charged by the League, we will offer a series of examinations that will be comparably priced to the League's examinations for at least one year.

Next, let me tell you a little about us. Empco has been conducting tests for law enforcement agencies, fire departments and other municipal positions since 1987. We have historically conducted assessment centers, oral boards and written promotional examinations. Basically, Empco has been a competitor to the testing services of the League. When the League decided to stop testing, Empco was the logical choice they turned to because of our reputation and presence in the State.

For a number of years, we have conducted assessment centers for management positions in municipal government and corporations. We conduct more assessment centers in municipal government than anyone in Michigan.

We have conducted oral board examinations for new hires and all ranks for over 10 years. Effectively, the League and Empco directly competed in this area.

2003 SEP -5 P 3:02

CITY OF TROY
PERSONNEL DEPARTMENT

Clearly, the largest volume of examinations conducted by the League has been written promotional examinations. We intend to continue offering written examinations by taking the best of both organizations and offering you a choice between standard and customized examinations. Standard examinations will be developed from national and state recognized texts, include a study bibliography, be proctored by the department, and scored within seven working days by Empco. Pricing of these examinations will reflect levels you have been accustomed to in the past.

Or, for a variety of reasons, you may need a customized exam like Empco has been conducting nationally. Custom examinations are based on a bibliography of texts developed in cooperation with the department, include local department's Policies, Procedures, etc., are proctored by Empco, and scored within 48 hours. Orientation, item analysis and test-taker review is available.

Both types of tests will be available to you - either in traditional paper/pencil format or on the Internet. As we merge our testing services, we will strive to do more testing over the Internet.

Our examinations are new, valid, job-related and reliable. We have never conducted an examination that has had an adverse impact on any protected class of employees.

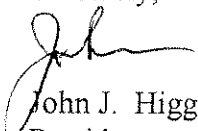
In every event, we would like, very much, to retain you as a client. To this end we will be contacting you in person in the near future to introduce ourselves and offer any assistance you need. Assisting Empco in this process includes: Dick Faulkner (Retired Deputy Police Chief from Novi), Glenn Barnett (Retired Fire Chief from Dearborn Heights), and Don Zimmerman (Retired Police Chief from Bloomfield Township). I've attached a partial list of Empco's clients in the event that you might like to check our references.

We are aware that the Michigan Municipal League has been the authorized testing vendor named in several labor contracts and/or policies. As the successor to the League, Empco may automatically qualify as the accepted vendor in these policies or contracts. If there is not an automatic succession to Empco, you may need to consider changing the appropriate language to whoever the new vendor will become. Hopefully, you will retain Empco as your vendor.

As we pull together the two testing systems, we will develop brochures and other material that we will send to you. In the meantime, you might learn more about our testing processes on our web site www.empco.net. If you have suggestions as to how we can serve you better, please feel free to contact us through our web site or directly at info@empco.net. My phone number is: 248-528-8060.

Thank you for taking the time to read this letter. We will be in touch with you in the near future.

Sincerely,



John J. Higgins
President

Empco, Inc
Partial Client List

Ann Arbor Police Department
Brighton Police Department
Chesterfield Twp Fire Department
Clawson Police Department
Clinton Twp Police Department
Dearborn Police Department
Dearborn Fire Department
Dearborn Heights Police Department
Dearborn Heights Fire Department
East Lansing Police Department
Farmington Public Safety Department
Grosse Pointe Park Police Department
Harrison Twp Fire Department
Hazel Park Police Department
Huntington Woods Public Safety Department
Kent County Sheriff
Lansing Police Department
Livonia Fire Department
Madison Heights Police Department
Madison Heights Fire Department
Meridian Twp Fire Department
Northfield Police Department
Novi Police Department
Oak Park Public Safety Department
Plymouth Twp Police Department
Plymouth Twp Fire Department
Rochester Hills Fire Department
Royal Oak Police Department
Royal Oak Fire Department
Southfield Police Department
Southfield Fire Department
Southgate Fire Department
St Clair Shores Police Department
Sterling Heights Police Department
Sterling Heights Fire Department
Troy Police Department
Troy Fire Department
Warren Police Department
Waterford Twp Police Department
Ypsilanti Twp Fire Department

August 29, 2003

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M Lamerato, Assistant City Manager/Finance & Administration
Jeanette Bennett, Purchasing Director
Cindy Stewart, Community Affairs Director

SUBJECT: Standard Purchasing Resolution 8: Best Value Process Award –
2004 Calendar/Annual Report Printing Services

RECOMMENDATION

On August 20, 2003, four (4) proposals were opened for a one-year contract with an option to renew for two (2) additional years to provide Printing & Design Services for the 2004 City of Troy Calendar/Annual Report. City management recommends that a contract be awarded to **University Lithoprinters**, the bidder providing the best value with a final weighted score of 96, at an estimated cost of \$29,000.00 per year at unit prices contained in the attached bid tabulation.

Although University Lithoprinters is the lowest total bidder, price is just one component in the “Best Value” approach to a Request for Proposal process. The award recommendation was based upon the vendor offering the best combination of a variety of factors; not simply the lowest bidder meeting certain minimal requirements. A best value approach addresses ability, experience, and quality issues leading to a successful contract and reduction in risk of poor service for such high profile PR tools as the City Calendar.

The alternate bid submitted by University Lithoprinters proposed to use 70# dull text instead of 80#. The weight of the paper affects the amount of ink show through from one side of the sheet to the other. 80 lb. will produce a better product for our calendar and the cost is only \$222.00 more than 70 lb.

BACKGROUND

On October 4, 1999, University Lithoprinters was awarded the contract to provide the 2000 City Calendar/Annual Report. An option to renew printing services for the 2001, 2002 and 2003 Calendar/Annual Report was exercised. Cost for the 2003 calendar was \$36,470.00. This included 39,000 calendars with reply cards inserted plus minor corrections to proof throughout the process.

The current proposal adjusted the size of the calendar from 9x12 to 8 1/2x11 to cut costs and had the reply card as an option. The estimate for the 2004 calendar would be \$29,000.00 or \$31,215.00 with the reply card. This is a savings of approximately \$7,470.00. The reduction in overall size of the calendar will also reduce the weight of the calendar, thus lowering our bulk postage.

August 29, 2003

Award Recommendation
Printing Services – City Calendar
Page 2 of 2

SUMMARY

After completing the evaluation process, University Lithoprinters received the highest recommendations from the committee. In an effort to achieve the most positive image for our City Calendar and personnel working in the field, and supply the best service, proper quality at the right price; a best value approach was used to evaluate and award the contract. It should be noted that paper samples were required at the time of bid submission and were not included with University's RFP. Sample papers from University had been previously furnished prior to mailing the RFP in order to write specifications for a lower cost paper than paper used for past calendars. Since language is included in the RFP which allows the City to waive any informality in the RFQ / RFP received, we are taking this omission as a minor deviation since paper samples were on-hand.

University Lithoprinters received the highest recommendations from the committee consisting of the Assistant City Manager/Finance and Administration, Community Affairs Director, and Community Affairs Intern. They received superior marks based on their quality samples. University Lithoprinters has serviced many other municipalities on similar projects of comparable magnitude. City calendars they produced within the last four years include Troy, Westland, Dearborn, Warren, and Novi. Not only did this company furnish the most impressive and complete proposal package; they as well as their designer received outstanding endorsements from the Cities of Novi, Dearborn and Westland when we called them inquiring about their calendar printer before the bids were sent out. University Lithoprinters also produced calendars for The Masarati Club, Consumers Energy, University of Michigan and the Detroit Free Press. The Community Affairs Department staff has worked with University Lithoprinters and Graphic Visions on a number of projects and is very impressed with their professionalism, creativity, cooperation and timeliness.

BUDGET

Funds are available from the operating budget in the Community Affairs Department a/c# 748.7901.

- 5 Proposals Sent
- 4 Proposal Responses Received
- 1 No Bid: Company not interested in bidding at this time.

Opening Date -- 8-20-03
Date Prepared -- 8/28/03

CITY OF TROY
TABULATION
PRINTING 2004 CALENDAR/ANNUAL REPORT

RFP-COT 03-17
Pg 1 of 2

FIRM NAME:		**	UNIVERSITY	ROBOT PRINTING	GRAND RIVER
			LITHOPRINTERS		PRINTING
Check Number			101582	40116	473454768
Amount			\$1,500.00	\$1,500.00	\$1,500.00
PROPOSAL: Furnish and deliver to a designated mailing service 40,000 copies of the City of Troy Year 2004 Calendar / Annual Reports, including graphic design services, presswork, etc.					
VENDOR QUESTIONNAIRE: (Yes or No)			YES	YES	YES
SAMPLE CALENDAR:	(Yes or No)		YES	YES	YES
SAMPLE PAPER:	(Yes or No)		NO	NO	YES
STOCK-CALENDAR	Complete for the Sum of:		\$ 29,000.00	\$34,115.00	\$ 37,596.85
	Cost per Additional (M) :		\$ 725.00	\$ 668.00	\$ 515.00
	Quoting on Paper:		AS STATED	LOE LUSTRO	AS SPECIFIED
Alternate	Complete for the Sum of:		-DMS- \$ (28,778.00)	BLANK	\$ 32,238.28
	Cost per Additional (M) :		\$ (719.45)		805.96
	Quoting on Alternate Paper:		70#DULL/80#COVER		U-2DULL TEXT/GLOSS COVER
ADDITIONAL OPTIONAL CHARGES					
Reply Card	Complete for the Sum of:		\$ 2,215.00	\$ 3,741.00	\$ 3,100.00
	Cost per Additional (M) :		\$ 55.38	\$ 63.00	\$ 100.00
	Quoting on Paper:				
SCANS	Cost for each color photo		\$45.00/Scan	\$25.00/Scan	\$25.00/Scan
PAPER COST:	80# Gloss Cover LOE		\$46.13/M	\$286.16/M	\$75.35/CWT
	80# Text Dull LOE		\$186.32/M	\$142.72/M	\$73.70/CWT
	70# Text Dull LOE		\$178.66/M		\$49/50/CWT
					\$44.50/CWT
EDIT CHARGES:			\$75.00/HR	\$80.00/HR	\$80.00/HR
DELIVERY DATE	Can meet schedule		XX	XX	XX
	Cannot meet but offers				
TERMS:			NET 30	BLANK	NET 30
WARRANTY:			BLANK	BLANK	BLANK
DELIVERY DATE:			BY 12/8/03	BLANK	December 8, 2003
EXCEPTIONS:			BLANK	BLANK	BLANK

ATTEST:

Charlene McComb

Linda Bockstanz

Jeanette Bennett

** DENOTES BEST VALUE PROPOSAL

Jeanette Bennett
Purchasing Director

Opening Date -- 8-20-03
Date Prepared -- 8/28/03

CITY OF TROY
TABULATION
PRINTING 2004 CALENDAR/ANNUAL REPORT

RFP-COT 03-17
Pg 2 of 2

FIRM NAME:		GRAND RIVER	OAKLAND	
		PRINTING	PRINTING SVC	
Check Number		ALTERNATE BID	4682842342	
Amount		\$1,500.00	\$1,500.00	
PROPOSAL: Furnish and deliver to a designated mailing service 40,000 copies of the City of Troy Year 2004 Calendar / Annual Reports, including graphic design services, presswork, etc.				
VENDOR QUESTIONNAIRE: (Yes or No)		YES	YES	
SAMPLE CALENDAR:	(Yes or No)	YES	YES	
SAMPLE PAPER:	(Yes or No)	YES	NO	
STOCK-CALENDAR	Complete for the Sum of:	\$ 34,643.04	\$41,100.00	
	Cost per Additional (M) :	\$ 866.08		
	Quoting on Paper:	LOE DULL TEXT	AS SPECIFIED	
		AQUEOUS GLOSS		
Alternate	Complete for the Sum of:	\$ 29,284.47	\$40,765.00	
	Cost per Additional (M) :	\$ 732.11		
	Quoting on Alternate Paper:	U-2 DULL TEXT	CENTURA	
ADDITIONAL OPTIONAL CHARGES				
Reply Card	Complete for the Sum of:		\$ 2,500.00	
	Cost per Additional (M) :			
	Quoting on Paper:			
SCANS	Cost for each color photo	AQUEOUS GLOSS	\$30.00/Scan	
PAPER COST:	80# Gloss Cover LOE			
	80# Text Dull LOE			
EDIT CHARGES:			\$65.00/HR	
			ADDITIONAL PRICES	
			ATTACHED TO BID	
DELIVERY DATE	Can meet schedule	XX	XX	
	Cannot meet but offers			
TERMS:		NET 30	NET 30	
WARRANTY:		BLANK	BLANK	
DELIVERY DATE:		December 8, 2003	BLANK	
EXCEPTIONS:		BLANK	BLANK	

NO BIDS:

Homeland Press

EXECUTIVE SUMMARY

PRINTING THE 2004 CALENDAR / ANNUAL REPORT

STATISTICS:

- ◆ Five (5) Request for Proposals were mailed to pre-qualified bidders
- ◆ Four (4) Request for Proposals were received; Homeland Press sent a “Statement of No Bid” response indicating that they were not interested in bidding at this time
- ◆ University Lithoprinters was highest scoring respondent with the lowest price

The following bidders submitted a proposal and received the indicated final scores:

COMPANY	SCORE
A. University Lithoprinters	96
B. Grand River Printers	54
C. Oakland Printing	46
D. Robot Printing	74

Selection Process:

1. Bidders were pre-qualified by Community Affairs staff by calling other entities and requesting mailing information for their successful calendar provider.
2. Three (3) City employees rated calendar Samples; staff calculated the Sample score for each bidder.
3. Pass / Fail criteria for each bidder was reviewed; final reference check was completed; a bid tabulation was prepared; the standard deviation calculations were completed.
4. The final scoring of each RFP was prepared.

EXECUTIVE SUMMARY

PRINTING THE 2004 CALENDAR / ANNUAL REPORT

Sample Calendar – Ratings

Raters:	1	2	3	AVERAGE
Vendors:				
A. University Lithoprinters	100	83	100	94
B. Grand River Printers	66	71	84	74
C. Oakland Printing	77	65	87	76
D. Robot Printing	74	75	70	73

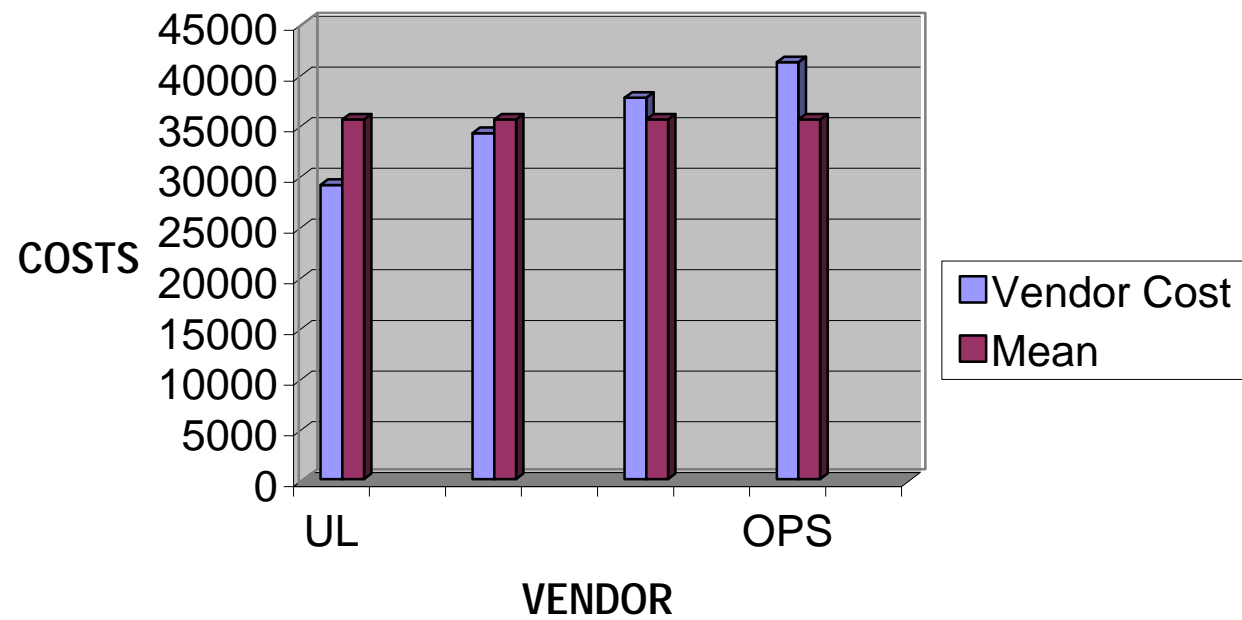
Final Scoring: 60 / 40 Split – Sample Score / Price Score

	Sample Score	Price Score	Final Score
Vendors:			
A. University Lithoprinters	.60 x 94 = 56.4 = 56	.40 x 100 = 40	96
B. Grand River Printers	.60 x 74 = 44.4 = 44	.40 x 25 = 10	54
C. Oakland Printing	.60 x 76 = 45.6 = 46	.40 x 0 = 0	46
D. Robot Printing	.60 x 73 = 43.8 = 44	.40 x 75 = 30	74

**PRINTIING 2004 CALENDAR/ANNUAL REPORT
PRICE ANALYSIS**

VENDOR	COST	MEAN	DIFFERENCE	D2	VARIANCE	STANDARD DEVIATION	POINTS
UL	29000	35,453	6,453	41641209		2	100
ROBOT	34115	35,453	1,338	1790244		1	75
						0 (Mean)	
GRP	37596.85	35,453	(2,144)	4596736		-1	25
OPS	41100	35,453	(5,647)	31888609		-2	0
	\$ 141,811.9			79,916,798	19979199.5	4469.809783	

2004 CALENDAR PRINTING





DATE: **August 20, 2003**

FROM: **Jeanette Bennett, Purchasing Director**

RE: **Calendar Raters and Companies**

COMPANIES:

A = University Lithoprinters – 6 samples
B = Grand River Printers – 10 samples (8 paper samples)
C = Oakland Printing – 7 samples
D = Robot Printing – 12 samples

RATERS:

Andrea Herzog
John Lamerato
Cynthia Stewart

REQUEST FOR QUALIFICATIONS – 2004 Calendar / Annual Report

VENDORS							
NAME: ADDRESS: CITY/ STATE/ ZIP: PHONE / FAX NUMBER: OBJECTIVES:							
A		B		C			
OBJECTIVES PASS / FAIL	INFORMATION	GO/NO	INFORMATION	GO/NO	INFORMATION	GO/NO	
◆ 1. 5 Years in the Business							
◆ 2. (3) Similar Sample Calendars							
◆ 3. Graphic Designer w/ 3 yrs experience (including credentials)							
◆ 4. Can Meet Postal Regulations							
◆ 5. Full Scope of Services Provided							
FINAL – REFERENCE CHECKS HIGHEST RATED BIDDER							
◆ 1. (3) Graphic Designer – Positive References i.e. ability to work w/ staff, professionalism							
◆ 2. (3) Company - Positive References – met deadlines, quality product							
3. (3) Mass Mailing Service – Positive References – handle 40M							



CALENDAR SAMPLES WEIGHTED RATING

RATER NUMBER: 1

VENDORS										
NAME: PHONE NUMBER: FAX NUMBER:										
A			B			C				
OBJECTIVES:	Weight	INFORMATION	Score 10-1	Weighted Score	INFORMATION	Score 10-1	Weighted Score	INFORMATION	Score 10-1	Weighted Score
1. Overall Appearance										
2. Clarity of Photos										
3. Layout Design – Originality										
4. Impact of Cover										
5. Print Quality / Color Balancing										
6. Creative Designs										
7. Clarity of Calendar Portion – Dates, Information, etc.										
8. Photo – Color quality										
9. Assembly – quality										
10. Organization of Calendar										

10 = Highest Rating 10.00
1 = Lowest Rating

MAXIMUM SCORE: 100

Advisory Committee for Senior Citizens
Minutes of June 5, 2003
10 a.m. at the Troy Community Center

Present: David Ogg, Chairman Lawrence Jose, Member
Ed Forst, Vice-Chairman JoAnn Thompson, Member
Bill Weisgerber, Member Carla Vaughan, Staff
Steven Banch, Member

Excused: Jane Crowe, Member Merrill Dixon, Member
Jo Rhoads, Member

Absent: None

Visitors: Doug Haxer, Wells Fargo Reverse Mortgage
Barbara Holmes, Deputy City Clerk

Approval of Minutes: Motion by Larry Jose, supported by Ed Forst that the minutes of May 1, 2003 be approved as amended: Bill Weisgerber submitted a list of considerations for rules and procedures (copy attached). Ayes: All Nays: None MOTION CARRIED.

Visitor Comments:

Doug Haxer gave a presentation on reverse mortgages and said that he will be giving a presentation to the entire senior group soon.

Oath of Office for Re-appointed Members:

Larry Jose and JoAnn Thompson were sworn in by Deputy City Clerk Barbara Holmes.

Old Business:

Senior Brochures to Library: Ed Forst took some brochures to the Library and will take more when more are printed.

Review and Approval of By-Laws and Rules of Procedures: Mr. Ogg presented a draft of the by-laws and rules of procedure. A discussion was held and Mr. Weisgerber suggested minor revisions of three items. Motion by Larry Jose, seconded by Steven Banch that the document be approved and that Mr. Ogg check with the City Attorney's Office regarding the suggested revisions. Ayes: 4 Nays: 2. MOTION CARRIED.

Troy Daze: The Committee will participate in the parade and have a table and drive the golf carts for Senior Sensation Day. Motion by Larry Jose, seconded by JoAnn Thompson that Bill Weisgerber work with Carla to get seniors involved in the parade to showcase Parks and Recreation programs for seniors. Ayes: 5. Nays: 1. MOTION CARRIED.

New Business

Election of Officers: David Ogg was reelected chairman. Ed Forst was reelected vice-chariman, and JoAnn Thompson will be the representative to OLHSA.

Cancellation of July and August Meetings: Motion by Larry Jose, seconded by Ed Forst to cancel the July and August meetings. Ayes: 4. Nays: 0. Abs: 2. MOTION CARRIED.

Nutrition Advisory Council: Emerald Food Service is forming a nutrition advisory council that will meet quarterly beginning in October. Motion by Bill Weisgerber, seconded by JoAnn Thompson that Mr. Ogg contact Emerald Food Service about changing the name of this committee so that it is not confused with the Senior Advisory Committee. Ayes: 6. Nays: 0. MOTION CARRIED.

Suggestions

There were several suggestions that David Ogg will follow up on regarding:

- Moving bingo to the lunchroom
- Clarification that Community Center membership is not required to take classes.
- The gray sign out front is hard to read
- The line dance group wants coffee available when they take their afternoon break. Both the café and the senior lunchroom coffee are closed.
- Shuffleboard at the Community Center (Larry Jose will bring this up to the Park Board)

Reports

Park Board: Larry Jose reported that the driving range will open in several weeks. The City is working on the Ash Borer problem. Meetings to discuss redevelopment of park land are on hold due to budget restraints. A new site must be found for the cricket field.

Medi-Go: No report.

Lunch Attendance: No report.

Senior Program Report: Carla reported that instructor training for the SeniorNet computer lab has been held and more than 30 senior volunteers were trained. A coordinating council has been appointed. Results of a Spring 2003 Physical Activity Survey were distributed (copy attached).

OLHSA: Mr. Ogg reported that doctors in Oakland County are looking for a way to get prescription drugs for needy seniors from Canada.

The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

David Ogg, Chairman

Carla Vaughan, Secretary

PARKS AND RECREATION ADVISORY BOARD

Minutes of July 8, 2003

Present: Doug Bordas, member Ida Edmunds, member
 Larry Jose, member Tom Krent, member
 Orestes Kaltsounis, member Stuart Alderman, staff
 Carol K. Anderson, staff

Absent: Kathleen Fejes, Meghan Kovacs, Janice Zikakis, Jeff Stewart

A motion by Tom Krent, supported by Doug Bordas, that the minutes from June 28, 2003 are approved as submitted.

Ayes: All

Nays: None

MOTION CARRIED**NEW BUSINESS**

A. Civic Center Committee - A task force is being set up to explore the Civic Center site and the amenities it should include. A representative from this board is to be included.

A motion by ~~Tom Krent~~ Doug Bordas, supported by Ida Edmunds, that Tom Krent be appointed to the Civic Center task force.

Ayes: All

Nays: None

MOTION CARRIED

B. Park Naming Policy and Criteria - The Park Board reviewed current criteria and additional requirements for naming parks. The criteria on the original document was reviewed for possible revision.

Discussion included allowing the public time to express their view on parks named after individuals or groups, chosen park names should be permanent unless the existing name is found to be inappropriate or detrimental to the image or interests of the community. Until all criteria is reviewed and a new policy is created, postponing naming any parks was recommended.

A motion by Tom Krent, supported by Doug Bordas, to recommend to City Council to postpone any park naming until the Parks and Recreation Advisory Board has reviewed and revised the criteria for naming parks and has the opportunity to make a recommendation to City Council.

Ayes: All

Nays: None

MOTION CARRIED

The Park Board will review the policy further at the next meeting.

C. Section 1 Golf Course Name - At the Monday, July 7, 2003 meeting, the City Council reviewed the Park Board action regarding the golf course name. The City Council took action naming the course "Sanctuary Lake Golf Course."

D. Skatepark - There will be a ribbon cutting for the new skatepark on Monday, July 21, 2003 at 6 p.m. All are invited to attend.

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Mary Williams

PARKS AND RECREATION ADVISORY BOARD

Minutes of July 31, 2003

A special meeting of the Parks and Recreation Advisory Board was held on Thursday, July 31, 2003 at the Troy Community Center, Room 303. Chairman, Larry Jose called the meeting to order at 5:35 p.m.

Members Present:	Doug Bordas, member	Ida Edmunds, member
	Kathleen Fejes, member	Larry Jose, member
	Orestes Kaltsounis, member	Tom Krent, member
	Meaghan Kovacs, member	Jeff Stewart, member
	Janice Zikakis, member	Jeff Biegler, staff
	Carol Anderson, staff	

Absent:

Visitors: None

I. Park Naming Criteria - Each criterion for the park naming policy was reviewed and discussed. Revisions and additions were made as the board deemed appropriate for naming public places. A copy of the policy is attached to the minutes.

Resolution # PR - 2003-07-001

Moved by: Bordas

Seconded by: Fejes

RESOLVED, that the Parks and Recreation Advisory Board recommend to City Council that the "Park Naming Policy" be approved with the changes discussed.

Yes: All

No: None

MOTION CARRIED

II. Residency Issue for Park Use - The Parks and Recreation Advisory Board discussed the requirements as it relates to the Facility Usage Policy, Standards for Issuance of Special Use Permits and Parks and Recreation programs. Discussion included adult and youth uses, travel teams and house teams (Troy leagues).

Resolution # PR - 2003-07-002

Moved by: Krent

Seconded by: Fejes

RESOLVED, that the Parks and Recreation Advisory Board recommend to City Council that the residency requirement for park use remain at 75%.

Yes: 8

No: 1 Kaltsounis

MOTION CARRIED

III. Cricket Field - Potential Locations: The sites were reviewed and discussion included:

- 1) That no existing park sites are suitable as activities would be displaced or would have to be redeveloped.
- 2) The cricket field may be suitable in one of the new parks but should not be located in a neighborhood park.
- 3) Opposition to any cricket development if residency requirements are not met.

Resolution # PR - 2003-07-003

Moved by: Edmunds

Seconded by: Krent

RESOLVED, that the Parks and Recreation Advisory Board recommend to City Council that none of the proposed and/or existing park sites is suitable for development of a cricket field.

Yes: 7

No: 1 Kaltsounis

MOTION CARRIED

The meeting adjourned at 8:35 p.m.

Larry Jose, Chairman

Mary Williams, Recording Secretary

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT – AUG 6, 2003

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, August 7, 2003, at the lower conference room at City Hall. Leonard Bertin called the Meeting to order at 7:00 P.M.

Present:	L. Bertin, member	C. Buchanan, member
	A. Done, member	K. Gauri, member
	D. House, member	N. Johnson, member
	D. Kuschinsky	P. Manetta, member
	D. Patron, member	J. Rodgers, member
	G. Yau, student member	

Also M. Grusnick, staff
Present: M. McGinnis, staff

Absent: S. Burt, alternate
J. Shah, alternate

ITEM B – APPROVAL OF MINUTES OF MEETING OF JUNE 4, 2003

Gauri made a motion that the Minutes of June 4, 2003 be approved. Supported by Rodgers. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Pat Ruhana, Troy resident. Ruhana stated that she had called the Building Department to inquire about handicap access at her place of residence and was told about the Committee. She stated that she was glad to know the Committee existed and wanted to attend to find out what it was all about. Ruhana's e-mail address is Pruhana@Wideopenwest.com

ITEM D – NEW BUSINESS

The City has asked Bertin to serve on the new Civic Center Priority Task Force, and his appointment was approved by City Council on Monday August 4, 2003. House is also interested in the Civic Center Project, and would like to attend the meetings whenever possible.

Grace Yau the new student representative for the Committee attended the meeting for the first time. Yau is a junior at Troy High School, is on the girls swim team and secretary of the Spanish Club. When asked why she wanted to serve as a student representative on the Disabilities Committee she stated she has a friend who has a 13-year-old brother with a disability and she would like to do something to help him.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT – AUG 6, 2003

The Troy Rotary Club would like to build a playground for the physically challenged in Jaycee Park. Johnson and Done stated that they would like to help the Rotary Club with anything that they would need from the Disabilities Committee. This agenda item will be on City Council August 18, 2003. Bertin suggested that Johnson and Done call Sue Cicerone, President of the Rotary Club (248-641-9065) to offer any help.

Bertin stated that he had spoken with Tony Filippis about the possibility of getting the City of Troy to commit to a 30-year land space agreement for a baseball field for young people with disabilities. Filippis stated that they did not get their proposal in on time for City Council to act. The City of Southfield has given them the land with specific surfaces for wheel chair access.

ITEM E – REGULAR BUSINESS

Nancy Johnson and Pauline Manetta will attend the City Council Meeting on August 18, 2003.

ITEM F – OLD BUSINESS

Bertin has compiled a list of participants that will have a booth at the Ability Expo at Troy Daze on September 11, 2003. There are several more organizations that are interested but have not been confirmed at this time.

Set up for the Ability Expo will take place between 3 and 5 PM and the event will start at 5:00 pm.

Buchanan has been working on a follow up letter to be sent to all participants prior to the event.

Yau will contact the Chairperson of Project Lead to remind that organization about their commitment to help with the set up and tear down of booths.

The Advisory Committee will also have a booth at the Ability Expo and all members should try to attend. Assignments of time slots will be set at the September meeting.

ITEM G – INFORMATIONAL ITEMS

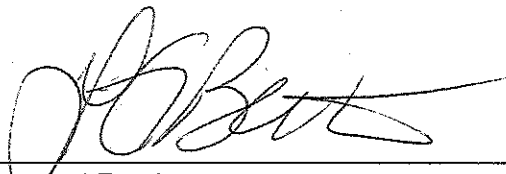
Buchanan presented a letter asking to be excused from attending the Disabilities Meetings from September through December 2003. She will be attending college to finish her degree.

John Rodgers also presented an e-mail to Bertin stating that he will be leaving the Committee when his term is up in November 2003.

ITEM H – Adjourn

Kuschinsky made a motion to adjourn the meeting at 8:10 p.m. Rodgers seconded the motion. All voted in favor.

The meeting adjourned at 8:10 p.m.



Leonard Bertin
Chairperson



Mary McGinnis
Recording Secretary

A regular meeting of the Troy Building Code Board of Appeals was held Wednesday, August 6, 2003 at City Hall in the Lower Level Conference Room. Ted Dziurman, Chairman, called to the meeting to order at 8:30 A.M.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Tim Richnak
Frank Zuazo

ALSO PRESENT: Mark Stimac
Ginny Norvell
Pam Pasternak, Recording
Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF JULY 2, 2003

Motion by Kessler
Supported by Zuazo

MOVED, to approve the minutes of the meeting of July 2, 2003 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES OF JULY 2, 2003 AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. PAUL DETERS, METRO DETROIT SIGNS, 5498-5500 CROOKS ROAD, for relief of Chapter 78 to replace 2 existing ground signs.

Mr. Stimac explained that the petitioner is proposing to remove an existing 1280 square foot ground sign, 40' high, and setback 15' from the I-75 Expressway, and replace it with a 400 square foot sign, 40' high, and setback 21' from the I-75 Expressway. Section 9.02.03 B, of the Ordinance limits the size of a primary ground sign to 200 square feet, the height to 25' and requires a setback of 30' from the right of way.

Mr. Stimac further indicated that the petitioner is also requesting relief of Chapter 78 to remove an existing 114 square foot sign at the 6.5' setback line from Crooks Road and replace it with a 75 square foot sign at the same location. Section 9.02.03, C of the Ordinance limits the size of a secondary ground sign to 36 square feet in size. Section 9.01 requires a sign of this size be placed at a minimum setback of 20 feet from the right of way.

Mr. Dziurman asked if the current 1280 square foot sign was in compliance with the previous Ordinance and Ms. Norvell stated that the sign was constructed with a variance granted in 1975.

Mr. Paul Deters of Metro Detroit Signs was present and said that the Northfield Hilton is changing their logo and this is the reason for the change in the existing signs. Mr. Deters said that each of the signs will be smaller than the existing signs but they would like to keep them in the same locations; however, they are willing to locate the 1280 square foot sign further back, 21' setback from I-75. Mr. Deters said that if the sign was moved any further back from I-75 it would be placed between two trees and would not be visible for traffic on I-75. Mr. Deters further explained that this sign is actually 200 square feet, however, because the depth of the cabinet is 36", the size of this sign has to be measured counting each face.

ITEM #2 – con't.

Mr. Deters also said that if the monument sign had to be moved back it would be in the parking lot and would not be visible to motorists on Crooks Road. There are no wall signs or directional signs on this site, which would provide identification.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written complaints, objections or approvals on file.

Motion by Nelson
Supported by Richnak

MOVED, to grant the request of Paul Deters, Metro Detroit Signs, 5498-5500 Crooks Road, for relief of Chapter 78 to replace two (2) existing ground signs.

- Pylon sign along I-75 will be 400 square feet, 40' high and setback 21' from I-75.
- Monument sign will be 75 square feet and setback 6.5' from Crooks Road.
- The new signs will actually be smaller than the existing signs in place.
- Variance is not contrary to public interest.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. SIGN DESIGN & ASSOCIATES, 1850 RESEARCH DR., for relief of Chapter 78 to install two wall signs.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to install two wall signs. The primary sign is 193 square feet in size, which is in compliance with the Ordinance. The petitioner is proposing a second wall sign, which would be 82 square feet in size and placed on the second floor of the building. Section 9.02.03, D of the Ordinance limits the size of secondary tenant identification wall signs to 20 square feet in size. In addition, this second wall sign must be placed on the ground floor. Mr. Stimac also explained that the primary sign is on the east side of the building facing I-75 and the second wall sign would be on the west side of the building facing the parking lot.

Ms. Janelle Gilardone, Property Manager for Liberty Property & Trust was present and said that she was representing Sign Design & Associates. Ms. Gilardone explained that the original tenant has moved out and the International Academy of Design & Technology will eventually take over the entire building. Ms. Gilardone further explained that if a sign were placed at ground level it would be very difficult to see for incoming students.

ITEM #3 – con't.

Mr. Dziurman asked if the first floor of the building was vacant. Ms. Gilardone indicated that this tenant now has part of the first floor as well as all of the second floor of the building. Ms. Gilardone also said that the “Budd Company” sign would be removed.

Mr. Nelson asked for clarification on the dimensions of this sign and Mr. Stimac said that the measurements used were the measurements provided by the petitioner. Ms. Gilardone said that she did not believe they were going to use the entire sign as shown.

Mr. Dziurman expressed concern if a variance was granted and this tenant did not take over the whole building. Ms. Gilardone said she thought that if this happened each tenant on the 1st floor would be allowed to display a 20 square foot sign. Ms. Norvell confirmed that this was correct, adding that tenant identification would need to be placed on the area occupied by the tenant.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections, complaints or approvals on file.

Motion by Kessler
Supported by Nelson

MOVED, to grant Sign Design & Associates, 1850 Research Dr., a variance for relief of Chapter 78 to install a second tenant identification sign.

- Sign would be 82 square feet and placed on the 2nd floor of the building.
- Variance would not have an adverse effect on surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 8:55 A.M.


Ted Dziurman, Chairman


Pamela Pasternak
Recording Secretary

MS/pp

TROY DAZE MINUTES – FINAL

August 19, 2003

A Regular Meeting of the Troy Daze Advisory Committee was held Tuesday, August 19, 2003, at the Troy Community Center. Bob Berk called the Meeting to order at 7:33P.M.

ROLL CALL

PRESENT: Bill Hall
Jim Cyrulewski
Robert Preston
Bob Berk
Cheryl Whitton Kaszubski
Cele Dilley
Jeff Biegler

ABSENT: Kessie Kaltsounis
Sue Bishop
Jessica Zablocki

Resolution TD-2003-08-003
Moved by Whitton Kaszubski
Seconded by Hall

RESOLVED, That Jessica and Kessie be excused due to being out of town and Sue excused as she is in the hospital.

Yes: All-7

MOTION CARRIED

1. APPROVAL OF JULY 22, 2003 MINUTES

Resolution TD-2003-08-004
Moved by Whitton Kaszubski
Seconded by Hall

RESOLVED, That the July 22, 2003 minutes be accepted as submitted.

Yes: All-7

MOTION CARRIED

NEW BUSINESS**1. AWARDING OF TROY DAZE JACKETS**

Jackets are not in and will need to be awarded at the Festival.

2. VOLUNTEER OF YEAR SELECTION

Resolution TD-2003-08-005

Moved by Cyrulewski

Seconded by Whitton Kaszubski

RESOLVED, That Tarcissio Massaini be nominated for the Leadership Troy Volunteer of the Year.

Yes: All-7

MOTION CARRIED

3. BUSINESS OF THE YEAR NOMINATION

Resolution TD-2003-08-006

Moved by Dilley

Seconded by Hall

RESOLVED, That Henry Ford Hospital be nominated for Leadership Troy Business of the Year.

Yes: All-7

MOTION CARRIED

4. APPOINTMENT OF NEW FESTIVAL COMMITTEE MEMBERS

Resolution TD-2003-08-007

Moved by Hall

Second by Preston

RESOLVED, That Janet Ferstle be named Craft Show Co-Chairperson.

Yes All-7

MOTION CARRIED

OLD BUSINESS

1. UPDATE ON CONTRACTS

All the quotes received have been placed in the computer and Purchase Orders have been entered in the system. Still waiting for the generator quotes but expect them in a matter of days.

Meeting adjourned at 7:48P.M.

BOB BERK, COMMITTEE CHAIRMAN

JOY KOEGLER, Recording Secretary

LIBRARY BOARD MINUTES - FINAL

AUGUST 21, 2003

A Regular Meeting of the Troy Library Board was held Thursday, August 21, 2003 at the Office of the Library Director. Joanne Allen, Chairperson, called the meeting to order at 7:35 P.M.

ROLL CALL **PRESENT:** Joanne Allen
 Lynne Gregory
 Brian Griffin
 Nancy Wheeler
 Steve Zhang, Student Rep.
 Brian Stoutenburg, Library Director

ABSENT: Audre Zembrzuski

The Pledge of Allegiance to the Flag was given.

Due to personal commitments, Zembrzuski was unable to attend.

Resolution #LB-2003-08-001

Moved by Wheeler

Seconded by Gregory

RESOLVED, That the absence of Zembrzuski be excused.

Yes: 4 — Allen, Gregory, Griffin, Wheeler

No: 0

MOTION CARRIED

Reviewed the July 10, 2003 Library Board Minutes.

Resolution #LB-2003-08-002

Moved by Wheeler

Seconded by Griffin

RESOLVED, That the Minutes of July 10, 2003 be approved.

Yes: 4—Allen, Gregory, Griffin, Wheeler

No: 0

MOTION CARRIED

Reviewed Agenda entries.

Resolution #LB-2003-08-003

Moved by Gregory

Seconded by Wheeler

RESOLVED, That the Agenda be approved.

Yes: 4—Allen, Gregory, Griffin, Wheeler

No: 0

MOTION CARRIED

Reviewed the June 12, 2003 Library Board Minutes.

Resolution #LB-2003-08-04

Moved by Gregory

Seconded by Allen

RESOLVED, That the Minutes of June 12, 2003 be approved.

Yes: 4—Allen, Gregory, Griffin, Wheeler

No: 0

MOTION CARRIED

REGULAR BUSINESS

Chairperson Allen appointed Gregory and Wheeler as the Board's representatives on the Facility Committee with Griffin as the alternate. Allen appointed Zhang as the Student representative to the Facility Committee. Staff members on the Committee will be Hedy Brodak and Esther Cram. The President of the Friends of the Library will be asked to appoint one member to the Committee.

Discussion continued about the Behavior Policy. Information was presented outlining how other local public libraries of similar size and scope handle issues of cell phones, food, and drink in the library and how they enforce the restrictions. Griffin asked for the opinion of the City Attorney as to the repercussions if a patron refused to abide by the behavior rules.

Road signs will be erected with the word "Library" and appropriate directional arrows.

REPORTS & COMMUNICATIONS

Director's report.

Work on developing the RFP for the Library study is underway and we are in the pipeline for the Purchasing Department. Audre Zembrzuski asked the Director to inform the Board that her daughter had sold a painting as a result of her recent exhibit at the library proving that exhibiting at the library is good for both patrons and the artists.

Board Member comments. Griffin asked about our Troy Community Foundation Grant. It was to help offset program costs of our Writers @ Troy Public Library series of programs. Griffin asked why the completion rate for Summer Reading Program participants was down this year. Statistics will be provided at next month's meeting with

staff's observations and reasoning. Gregory asked about staff attendance at MLA this year. Some staff will be attending but only for a day.

Friends of the Library. Allen reported that the celebration to acknowledge the Chrysler Grant supporting the annual Festival of the Arts series of programs at the Library for youth was held and even though the representative from Chrysler did not show, other dignitaries did.

Monthly Reports (June). Circulation for the month of July compared with the same time period a year ago showed an increase of 7.3%. There was an increase for the month in Patron visits by 3.3%. Program attendance was up 10.8% for the month. The number of library programs offered was up 28.1% for the month.

Staff Changes.

Resigned: Julia Bonderenko, Library Assistant.

Gifts. Three gifts totaling \$220.00 were received.

Informational Items. August TPL Calendar. MLA Michigan Libraries (July/August)

Contacts and Correspondence. 26 written comments from the public were reviewed.

Public Participation. There was no public participation.

The Library Board meeting adjourned at 8:30 P.M.

Joanne Allen
Chair

Brian Stoutenburg
Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on August 26, 2003, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present

Dennis A. Kramer
Lawrence Littman
Robert Schultz
Walter Storrs
Thomas Strat
Mark J. Vleck (arrived 7:35 p.m.)
David T. Waller
Wayne Wright

Absent

Gary Chamberlain

Also Present

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Doug Smith, Real Estate & Development Director
Amalfi Parker, Prospective Student Representative
Kathy Czarnecki, Recording Secretary

Resolution # PC-2003-08-010

Moved by: Wright

Seconded by: Schultz

RESOLVED, That Mr. Chamberlain be excused from attendance at this meeting.

Yes: All present (7)

No: None

Absent: Chamberlain, Vleck (arrived 7:35 p.m.)

MOTION CARRIED

Ms. Amalfi Parker was introduced and welcomed as the prospective student representative. Ms. Parker, a senior at Troy High School, presented an impressive background of her volunteer work, involvement in community affairs and future plans.

2. MINUTES – August 5, 2003 and August 12, 2003

Mr. Storrs requested that the August 12, 2003 minutes reflect the following change.

Page 14, under the Good of the Order, paragraph 4, to read:

"Mr. Storrs expanded on his negative vote on the special use request by St. Mark Coptic Orthodox Church. He said that churches are a permitted use within residential zoning as a special use approved by this Planning Commission, and he does not believe that churches should operate as businesses, nor are they good neighbors to the abutting single family uses."

Resolution # PC-2003-08-011

Moved by: Storrs

Seconded by: Schultz

RESOLVED, To approve the August 5, 2003 Special/Study Meeting minutes as published and the August 12, 2003 Regular Meeting minutes as corrected.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Waller

No: None

Abstain: Vleck, Wright

Absent: Chamberlain

MOTION CARRIED

3. **PUBLIC COMMENTS**

No one was present to speak.

4. **PLANNING AND ZONING REPORT**

Mr. Miller reported that the Community Affairs Department is working on the publication of the City calendar and has requested the Planning Commission meeting dates for 2004. Mr. Miller informed the Commission that the proposed 2004 Planning Commission meeting dates have been forwarded to Community Affairs and asked if the Commission would like to adopt the 2004 meeting schedule as established.

Discussion followed.

Resolution # PC-2003-08-012

Moved by: Schultz

Seconded by: Waller

RESOLVED, That the Troy City Planning Commission hereby approves the following 2004 meeting schedule for the City of Troy calendar publication purposes; and

FURTHER RESOLVED, That, at its first meeting of 2004, the Troy City Planning Commission officially approve the 2004 meeting schedule.

1. Regular Meetings will be held on the second Tuesday of each month.
2. Special/Study Meetings will be held on the first and fourth Tuesday of each month, as necessary, with the exception of June 1st, July 6th September 7th and December 26th.
3. If additional Special/Study Meetings become necessary, Alternate Special/Study Meeting dates may be set at the discretion of the Commission.

Yes: All present (8)
No: None
Absent: Chamberlain

MOTION CARRIED

Mr. Miller reported on the following Council actions taken at its August 18, 2003 Regular Meeting.

East Half of Alger Street Vacation Request (SV 180) – Denied
Cedar Pines Site Condominium (Revised Plan) – Approved
Peacock Farms Site Condominium (Final Plan) – Approved

Mr. Miller reported on the following Planning Commission items pending City Council action.

R-1T (ZOTA 182) – Tentative City Council Public Hearing date is 10/20/03.

Site Plan Approval (ZOTA 199) – Tentative City Council Public Hearing date is 10/20/03.

Amateur Radio Antenna Heights (ZOTA 180) – Referred to the Board of Zoning Appeals.

Off Street Parking Requirements (ZOTA 198) – City Management is providing an informational memo to City Council at its September 8, 2003 Regular Meeting. Mr. Miller will provide the Commission with a copy of the memorandum and report back to the Commission on the timeline for City Council action.

Mr. Miller reported that due to the Labor Day holiday, a third City Council meeting is not scheduled in September. The two regular business meetings are scheduled on September 8 and September 22.

5. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

The August 20, 2003 meeting was cancelled. The next Downtown Development Authority meeting is scheduled for September 17, 2003.

6. BOARD OF ZONING APPEALS REPORT

Mr. Vleck gave a brief report on the August 19, 2003 BZA meeting.

7. SUB-COMMITTEE REPORTS

CR-1

Mr. Miller reported that staff has completed its review of the draft report and will distribute the report for review by Committee members Waller and Chamberlain.

Tree Preservation / Landscaping / Walls

Mr. Miller reported that ordinances from other communities were distributed to the Committee members in their meeting packet. Mr. Miller said a meeting would be arranged with Landscape Analyst Ron Hynd and Committee members.

A brief discussion was held with respect to the purpose of the sub-committee.

Gateway / Beautification

Mr. Miller reported that an internal review is being conducted for acceptance of the proposed gateway sign design.

Mr. Smith reported that City staff plans to address the landscaped gateway entrance at the recently approved Rochester Commons PUD site (north of Big Beaver, east of Rochester Road) with the Downtown Development Authority. Mr. Smith said that any proposal would be brought back to the Commission for their input.

Special Use

There was no report available.

Indoor Commercial Recreation

Mr. Miller reported that the Planning Department would arrange a meeting with three property owners and also prepare the appropriate ordinance language.

8. DEVELOPMENT REPORT

Mr. Smith provided a brief report on the following topics:

- Land Use Study
- SmartZone / Automation Alley Update
- Saleen Facility
- Long Term M-1 Zoning and Alternative Uses for Industrial Buildings
- Highly Competitive Atmosphere for Retention and Recruitment of Companies
- I-75 / Long Lake Interchange
- Maple Road Corridor
- Civic Center Site
- Office Vacancy Rate
- Reflective Corporate Head – Kmart

Discussion followed with respect to the City sidewalk plan and the landscaping and irrigation along Big Beaver Road. The Planning Department will provide the Commission with an update on the City sidewalk plan.

9. PLANNING COMMISSION BY-LAWS

Ms. Lancaster presented a summary of her memorandum relating to the Planning Commission's final jurisdiction for site plan approvals and special use approvals.

Discussion followed.

It was the consensus of the Commission to incorporate in the City ordinance the By-Law language relating to the number of votes necessary to approve matters on which the Planning Commission has final jurisdiction.

10. ROAD COMMISSION OF OAKLAND COUNTY

Mr. Miller presented the Oakland County Road Commission Report of the Strategic Planning Process for the years 2002 and 2003. There was a brief discussion on the long-range strategic transportation priorities listed for the City of Troy.

11. TOURS OF SANCTUARY LAKE GOLF COURSE

Mr. Miller reported that tours of the new golf course could be arranged during regular business hours for groups no larger than four. Arrangements can be made with Mr. Miller.

12. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 202) – Outdoor Storage of Commercial Vehicles in M-1 (Light Industrial) Zoning District

Mr. Miller reported that City Council has directed the Planning Commission to give consideration to potential revisions of the zoning ordinance with respect to permitting outdoor storage of commercial vehicles in the M-1 zoning district at existing mini-storage facilities.

Mr. Miller requested input from the Commission, and noted the Planning Department would prepare draft zoning ordinance text for the proposed revisions.

13. APPOINTMENT OF BOARD OF ZONING APPEALS REPRESENTATIVE AND ALTERNATES

Ms. Lancaster presented a brief summary of her memorandum relating to the appointment of Board of Zoning Appeals representatives and alternates.

14. PROPOSED PLANNED UNIT DEVELOPMENT (PUD-3) – Proposed Sterling Corporate Center, North side of Big Beaver, West of I-75, Section 21 – O-S-C

Mr. Miller reported a meeting was held comprising himself, the Planning Consultant, Mr. Savidant and the petitioner, Mr. DiMaggio. Mr. Miller noted that it appears the petitioner may provide another public benefit to bolster the justification of the PUD criteria; in general, it would consist of additional pedestrian and urban design improvements.

Mr. Miller indicated to the petitioner that any information submitted to the Planning Department promptly before the Labor Day weekend would be reviewed and Planning Department and Planning Consultant recommendations would be available for the September 9th Public Hearing.

Ms. Lancaster referenced her memorandum attached to the Planning Department's report and stated it is necessary for the petitioner to identify and label each item as listed in the proposal's table of contents so that each item can be referenced as an exhibit for motion purposes.

Mr. Waller stated he hopes that among the efforts of City staff, the Commission and the Planning Consultant, the petitioner has received the message that the PUD documents must be accurately prepared and the proposal submitted as one complete

document for approval. He noted it is the petitioner's responsibility to provide an explanation for any information that is not provided.

15. REVIEW OF SEPTEMBER 9, 2003 REGULAR MEETING

Mr. Miller presented a brief summary of the upcoming items on the September 9, 2003 Regular Meeting agenda.

Mr. Miller reported the Planning Department has received numerous inquiries on the site plan application for the proposed residential development on the east side of Coolidge, north of Square Lake (the former school district property adjacent to Firefighters Park). He noted the proposed site plan (Wyngate of Troy) would be on the October 14, 2003 Regular Meeting agenda.

16. PUBLIC COMMENT

No one was present to speak.

GOOD OF THE ORDER

Mr. Miller took note of the Commissioners who plan to attend the Michigan Society of Planning Annual Conference at Grand Traverse Resort on October 15-18, 2003.

Mr. Schultz, as an interesting sideline, stated the portion of the Troy Commons property that used to be a bank was his great grandfather's wagon shop.

Mr. Vleck brought to the floor a discussion with respect to having a joint meeting with City Council and the Planning Commission. It was the consensus of the Commission to provide a list of items they wish to address with the City Council, and be prepared with a resolution at the next Special/Study Meeting.

Several Commissioners exchanged their experiences with respect to the recent major blackout; i.e., land and cell phone use, disruption in water, etc.

The bus tour of the Maple Road corridor scheduled to take place prior to the September 23, 2003 Special/Study Meeting was discussed. Mr. Miller said he is receiving some reluctance on the part of City Management in making bus tour arrangements. The consensus was that if a bus was not available, personal cars would be used. Discussion followed with respect to the posting of the meeting as a Study Session only or as a Special/Study Meeting.

Ms. Lancaster announced Kurt Kibby has filed a lawsuit against the City and the school district with respect to the Rochester Commons PUD, citing that his property would be land locked. Ms. Lancaster stated that all parties have agreed to meet and it is hoped that an agreement can be reached out of court.

Mr. Miller announced that the petitioner for Rochester Commons PUD is considering an expansion of the development along Urbancrest and Parkton.

Chairman Littman announced that an *Innovative Stormwater Management Workshop* is being held on October 2, 2003 at the Embassy Suites Hotel in Southfield.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:40 p.m.

Respectfully submitted,

Lawrence Littman, Chairman

Kathy L. Czarnecki, Recording Secretary

G:\MINUTES\2003 PC Minutes\Draft\08-26-03 Regular Meeting_Draft.doc

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on August 26, 2003, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present

Dennis A. Kramer
Lawrence Littman
Robert Schultz
Walter Storrs
Thomas Strat
Mark J. Vleck (arrived 7:35 p.m.)
David T. Waller
Wayne Wright

Absent

Gary Chamberlain

Also Present

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Doug Smith, Real Estate & Development Director
Amalfi Parker, Prospective Student Representative
Kathy Czarnecki, Recording Secretary

Resolution # PC-2003-08-010

Moved by: Wright

Seconded by: Schultz

RESOLVED, That Mr. Chamberlain be excused from attendance at this meeting.

Yes: All present (7)

No: None

Absent: Chamberlain, Vleck (arrived 7:35 p.m.)

MOTION CARRIED

Ms. Amalfi Parker was introduced and welcomed as the prospective student representative. Ms. Parker, a senior at Troy High School, presented an impressive background of her volunteer work, involvement in community affairs and future plans.

2. MINUTES – August 5, 2003 and August 12, 2003

Mr. Storrs requested that the August 12, 2003 minutes reflect the following change.

Page 14, under the Good of the Order, paragraph 4, to read:

"Mr. Storrs expanded on his negative vote on the special use request by St. Mark Coptic Orthodox Church. He said that churches are a permitted use within residential zoning as a special use approved by this Planning Commission, and he does not believe that churches should operate as businesses, nor are they good neighbors to the abutting single family uses."

Resolution # PC-2003-08-011

Moved by: Storrs

Seconded by: Schultz

RESOLVED, To approve the August 5, 2003 Special/Study Meeting minutes as published and the August 12, 2003 Regular Meeting minutes as corrected.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Waller

No: None

Abstain: Vleck, Wright

Absent: Chamberlain

MOTION CARRIED

3. **PUBLIC COMMENTS**

No one was present to speak.

4. **PLANNING AND ZONING REPORT**

Mr. Miller reported that the Community Affairs Department is working on the publication of the City calendar and has requested the Planning Commission meeting dates for 2004. Mr. Miller informed the Commission that the proposed 2004 Planning Commission meeting dates have been forwarded to Community Affairs and asked if the Commission would like to adopt the 2004 meeting schedule as established.

Discussion followed.

Resolution # PC-2003-08-012

Moved by: Schultz

Seconded by: Waller

RESOLVED, That the Troy City Planning Commission hereby approves the following 2004 meeting schedule for the City of Troy calendar publication purposes; and

FURTHER RESOLVED, That, at its first meeting of 2004, the Troy City Planning Commission officially approve the 2004 meeting schedule.

1. Regular Meetings will be held on the second Tuesday of each month.
2. Special/Study Meetings will be held on the first and fourth Tuesday of each month, as necessary, with the exception of June 1st, July 6th September 7th and December 26th.
3. If additional Special/Study Meetings become necessary, Alternate Special/Study Meeting dates may be set at the discretion of the Commission.

Yes: All present (8)
No: None
Absent: Chamberlain

MOTION CARRIED

Mr. Miller reported on the following Council actions taken at its August 18, 2003 Regular Meeting.

East Half of Alger Street Vacation Request (SV 180) – Denied
Cedar Pines Site Condominium (Revised Plan) – Approved
Peacock Farms Site Condominium (Final Plan) – Approved

Mr. Miller reported on the following Planning Commission items pending City Council action.

R-1T (ZOTA 182) – Tentative City Council Public Hearing date is 10/20/03.

Site Plan Approval (ZOTA 199) – Tentative City Council Public Hearing date is 10/20/03.

Amateur Radio Antenna Heights (ZOTA 180) – Referred to the Board of Zoning Appeals.

Off Street Parking Requirements (ZOTA 198) – City Management is providing an informational memo to City Council at its September 8, 2003 Regular Meeting. Mr. Miller will provide the Commission with a copy of the memorandum and report back to the Commission on the timeline for City Council action.

Mr. Miller reported that due to the Labor Day holiday, a third City Council meeting is not scheduled in September. The two regular business meetings are scheduled on September 8 and September 22.

5. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

The August 20, 2003 meeting was cancelled. The next Downtown Development Authority meeting is scheduled for September 17, 2003.

6. BOARD OF ZONING APPEALS REPORT

Mr. Vleck gave a brief report on the August 19, 2003 BZA meeting.

7. SUB-COMMITTEE REPORTS

CR-1

Mr. Miller reported that staff has completed its review of the draft report and will distribute the report for review by Committee members Waller and Chamberlain.

Tree Preservation / Landscaping / Walls

Mr. Miller reported that ordinances from other communities were distributed to the Committee members in their meeting packet. Mr. Miller said a meeting would be arranged with Landscape Analyst Ron Hynd and Committee members.

A brief discussion was held with respect to the purpose of the sub-committee.

Gateway / Beautification

Mr. Miller reported that an internal review is being conducted for acceptance of the proposed gateway sign design.

Mr. Smith reported that City staff plans to address the landscaped gateway entrance at the recently approved Rochester Commons PUD site (north of Big Beaver, east of Rochester Road) with the Downtown Development Authority. Mr. Smith said that any proposal would be brought back to the Commission for their input.

Special Use

There was no report available.

Indoor Commercial Recreation

Mr. Miller reported that the Planning Department would arrange a meeting with three property owners and also prepare the appropriate ordinance language.

8. DEVELOPMENT REPORT

Mr. Smith provided a brief report on the following topics:

- Land Use Study
- SmartZone / Automation Alley Update
- Saleen Facility
- Long Term M-1 Zoning and Alternative Uses for Industrial Buildings
- Highly Competitive Atmosphere for Retention and Recruitment of Companies
- I-75 / Long Lake Interchange
- Maple Road Corridor
- Civic Center Site
- Office Vacancy Rate
- Reflective Corporate Head – Kmart

Discussion followed with respect to the City sidewalk plan and the landscaping and irrigation along Big Beaver Road. The Planning Department will provide the Commission with an update on the City sidewalk plan.

9. PLANNING COMMISSION BY-LAWS

Ms. Lancaster presented a summary of her memorandum relating to the Planning Commission's final jurisdiction for site plan approvals and special use approvals.

Discussion followed.

It was the consensus of the Commission to incorporate in the City ordinance the By-Law language relating to the number of votes necessary to approve matters on which the Planning Commission has final jurisdiction.

10. ROAD COMMISSION OF OAKLAND COUNTY

Mr. Miller presented the Oakland County Road Commission Report of the Strategic Planning Process for the years 2002 and 2003. There was a brief discussion on the long-range strategic transportation priorities listed for the City of Troy.

11. TOURS OF SANCTUARY LAKE GOLF COURSE

Mr. Miller reported that tours of the new golf course could be arranged during regular business hours for groups no larger than four. Arrangements can be made with Mr. Miller.

12. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 202) – Outdoor Storage of Commercial Vehicles in M-1 (Light Industrial) Zoning District

Mr. Miller reported that City Council has directed the Planning Commission to give consideration to potential revisions of the zoning ordinance with respect to permitting outdoor storage of commercial vehicles in the M-1 zoning district at existing mini-storage facilities.

Mr. Miller requested input from the Commission, and noted the Planning Department would prepare draft zoning ordinance text for the proposed revisions.

13. APPOINTMENT OF BOARD OF ZONING APPEALS REPRESENTATIVE AND ALTERNATES

Ms. Lancaster presented a brief summary of her memorandum relating to the appointment of Board of Zoning Appeals representatives and alternates.

14. PROPOSED PLANNED UNIT DEVELOPMENT (PUD-3) – Proposed Sterling Corporate Center, North side of Big Beaver, West of I-75, Section 21 – O-S-C

Mr. Miller reported a meeting was held comprising himself, the Planning Consultant, Mr. Savidant and the petitioner, Mr. DiMaggio. Mr. Miller noted that it appears the petitioner may provide another public benefit to bolster the justification of the PUD criteria; in general, it would consist of additional pedestrian and urban design improvements.

Mr. Miller indicated to the petitioner that any information submitted to the Planning Department promptly before the Labor Day weekend would be reviewed and Planning Department and Planning Consultant recommendations would be available for the September 9th Public Hearing.

Ms. Lancaster referenced her memorandum attached to the Planning Department's report and stated it is necessary for the petitioner to identify and label each item as listed in the proposal's table of contents so that each item can be referenced as an exhibit for motion purposes.

Mr. Waller stated he hopes that among the efforts of City staff, the Commission and the Planning Consultant, the petitioner has received the message that the PUD documents must be accurately prepared and the proposal submitted as one complete

document for approval. He noted it is the petitioner's responsibility to provide an explanation for any information that is not provided.

15. REVIEW OF SEPTEMBER 9, 2003 REGULAR MEETING

Mr. Miller presented a brief summary of the upcoming items on the September 9, 2003 Regular Meeting agenda.

Mr. Miller reported the Planning Department has received numerous inquiries on the site plan application for the proposed residential development on the east side of Coolidge, north of Square Lake (the former school district property adjacent to Firefighters Park). He noted the proposed site plan (Wyngate of Troy) would be on the October 14, 2003 Regular Meeting agenda.

16. PUBLIC COMMENT

No one was present to speak.

GOOD OF THE ORDER

Mr. Miller took note of the Commissioners who plan to attend the Michigan Society of Planning Annual Conference at Grand Traverse Resort on October 15-18, 2003.

Mr. Schultz, as an interesting sideline, stated the portion of the Troy Commons property that used to be a bank was his great grandfather's wagon shop.

Mr. Vleck brought to the floor a discussion with respect to having a joint meeting with City Council and the Planning Commission. It was the consensus of the Commission to provide a list of items they wish to address with the City Council, and be prepared with a resolution at the next Special/Study Meeting.

Several Commissioners exchanged their experiences with respect to the recent major blackout; i.e., land and cell phone use, disruption in water, etc.

The bus tour of the Maple Road corridor scheduled to take place prior to the September 23, 2003 Special/Study Meeting was discussed. Mr. Miller said he is receiving some reluctance on the part of City Management in making bus tour arrangements. The consensus was that if a bus was not available, personal cars would be used. Discussion followed with respect to the posting of the meeting as a Study Session only or as a Special/Study Meeting.

Ms. Lancaster announced Kurt Kibby has filed a lawsuit against the City and the school district with respect to the Rochester Commons PUD, citing that his property would be land locked. Ms. Lancaster stated that all parties have agreed to meet and it is hoped that an agreement can be reached out of court.

Mr. Miller announced that the petitioner for Rochester Commons PUD is considering an expansion of the development along Urbancrest and Parkton.

Chairman Littman announced that an *Innovative Stormwater Management Workshop* is being held on October 2, 2003 at the Embassy Suites Hotel in Southfield.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:40 p.m.

Respectfully submitted,

Lawrence Littman, Chairman

Kathy L. Czarnecki, Recording Secretary

G:\MINUTES\2003 PC Minutes\Final\08-26-03 Special Study_Final.doc

A meeting of the **Troy Youth Council (TYC)** was held on Wednesday, Wednesday August 27, 2003 at 7:00 P.M., at City Hall in the Lower Level Conference Room. Catherine Herzog called to order at 7:04 p.m.

MEMBERS PRESENT: Emily Burns
Allister Chang
Chris Cheng
Min Chong
Juliana D'Amico
Monika Govindaraj
Eric Gregory (arr. 7:25)*
Catherine Herzog
Maniesh Joshi
Andrew Kalinowski (arr. 7:25)*
Christina Krokosky (arr. 7:25)*
David Vennettilli
Manessa Shaw (arr. 7:25)*
YuJing Wang

** One of the meeting email notifications contained 7:30 as the meeting time. This was an error.*

MEMBERS ABSENT: Raymond Deng
Matthew Michrina

ALSO PRESENT: Laura Fitzpatrick, Assistant to the City Manager

1. Roll Call

2. Approval of Minutes from 5/28/03 and 6/18/03

Resolution # TY-2003-08-009

Moved by Chong

Seconded by Cheng

RESOLVED, that the minutes of the May 28 and June 18 meetings be approved.

Yes: All – 10

No: None

Absent: Deng, Gregory, Kalinowski, Krokosky, Michrina, Shaw

MOTION CARRIED

3. Attendance Report: None to report. This was the first meeting of the fiscal year.

4. Invitation to Opening of Library & Teen Resource Center: Noted and filed

5. TYC Meetings Now Televised (aired on Channel 10 or 53; Tuesdays @ 7 PM)

6. **Troy Daze Booth:** As previously discussed TYC members will help staff the booth. Sign-in sheet distributed by Emily Burns. T-shirts have been ordered. The TYC engaged in a brainstorming exercising of "Top Ten Lists" for youth (Things to Do and Volunteer Opportunities). These lists will be raw material for a flyer to be distributed at Troy Daze.

7. **Troy Daze Parade**

Resolution # TY-2003-08-010

Moved by D'Amico

Seconded by Joshi

RESOLVED, that the TYC will participate in the Troy Daze Parade. Fitzpatrick to submit application.

Yes: All – 14

No: None

Absent: Deng, Michrina

MOTION CARRIED

8. **Future Speakers:** Fitzpatrick is securing speaker(s) from the Police Department for the Fall

9. **Motion to Excuse Absent Members (Deng and Michrina):** None because prior notification was not received.

10. **Youth Council Comments:**

Topics Submitted by Gregory – due to his absence these will be raised again at the next meeting.

- a. Goal Setting Meeting: Fitzpatrick to bring back information about other boards/committee and goal setting
- b. Liaison/Getting Voice Heard by Others: Attending meetings of other Boards and Committees is an option available to TYC members.
- c. Size of the Youth Council

Resolution # TY-2003-08-011

Moved by Chong

Seconded by Herzog

RESOLVED, that the TYC will reduce its size from 20 members to 16 members, AND that size and transitioning for new members will be a topic for future study.

Yes: All – 13

No: None

Absent: Deng, Krokosky. Michrina

MOTION CARRIED

Reminder Next Meeting: **Sept 17th** 7:00 P.M.
Location: Community Center, Room 503

The meeting adjourned at 8:34 p.m.

Catherine Herzog, Co-chair

Laura Fitzpatrick, Assistant to the City Manager

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT – SEPT 2003

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, September 3, 2003, at the lower lever conference room at City Hall. Leonard Bertin called the Meeting to order at 7:04 P.M.

Present: L Bertin, member S. Burt, alternate
 A. Done, member D. House, member
 N. Johnson, member D. Patron, member

Present: M. Grusnick, staff
 M McGinnis, staff

Absent: C. Buchanan, member K. Gauri, member
 D. Kuschinsky, member P. Manetta, member
 J. Rodgers, member J. Shah, alternate
 G. Yau, student

ITEM B – APPROVAL OF MINUTES OF MEETING OF AUGUST 6, 2003

Bertin made a motion that the Minutes of August 6, 2003 be approved with changes noted. Supported by Done. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

No visitors, delegations or general public

ITEM D – NEW BUSINESS

Bertin reported two items of interest mentioned by Council at the August 18, 2003 City Council meeting. It was suggested by Council that the ACPD and the Parks and Recreation Board hold a joint meeting, and that a member of the ACPD also serve as a member on the Parks and Recreation Board. Bertin stated that the Senior Citizen Committee has representation on the Parks and Recreation Board and that it would be good if this Committee were represented. Grusnick to contact and schedule a date for a joint meeting.

D. Patron made a motion that the Advisory Committee for Persons with Disabilities should have representation on the Troy Parks and Recreation Board. A. Done seconded the motion. All voted in favor.

ITEM E – REGULAR BUSINESS

Bertin will attend the City Council Meeting on September 8, 2003 and House will attend the meeting on the 22nd of September 2003.

ITEM F – OLD BUSINESS

Bertin distributed an Ability Expo layout that shows vendor booth locations. It was noted that sponsors have reserved all available booth spaces. Bertin asked members of this Committee to commit to a timeslot of time to help with the Ability Expo at Troy Daze on Thursday, September 11, 2003. Set-up will be from 3 – 5 PM and the tent will be open to the public from 5 – 9 PM.

Burt, Done, Patron, Buchanan, and Bertin will be at the Ability Expo the entire evening. House will try to be there by 5 PM. Burt will pick up the Advisory Committee for Persons with Disabilities brochures from Cindy Stewart to be distributed at the event.

Project Lead from Troy High School should be at the site by 3 PM to help set up tables and chairs, and to help carry materials to the booth. They should also be back to help tear down at 9 PM.

ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

The meeting adjourned at 7:30 PM.

Leonard Bertin, Chair

Mary McGinnis, Recording Secretary

A meeting of the **Civic Center Priority Task Force (CCPTF)** was held on Wednesday, September 3, 2003 at 7:30 P.M., at City Hall in the Council Board Room. John Szerlag called the meeting to order at 7:38 p.m.

ROLL CALL

PRESENT:

Mary Ann Bernardi (Troy Citizens United)
Leonard Bertin (Advisory Committee for Persons with Disabilities)
Ann Partlan (Historic District Commission)
Ryan Deel (Traffic Committee)
Catherine Herzog (Troy Youth Council)
Michelle Hodges (Troy Shareholders)

Tom Krent (Parks and Recreation Advisory Board)
Mark Maxwell (Board of Zoning Appeals)
David Ogg (Advisory Committee for Senior Citizens)
Carol Price (Downtown Development Authority)
Walter Storrs (Planning Commission)
Brian Wattles (Historical Commission)

ALSO PRESENT:

John Szerlag, City Manager
Lori Grigg-Bluhm, City Attorney
Gary Shripka, Assistant City Manager/Services
Jeff Biegler, Superintendent of Parks
Doug Smith, Real Estate & Development Director
Laura Fitzpatrick, Assistant to the City Manager

1. *Introductions*

2. *Manager's role as facilitator for first meeting*

3. *Establish ground rules for conducting meetings*

The following ground rules were adopted:

Look for commonalities of interests.

Everyone participates.

Be respectful of everyone's opinion.

Any issue can be re-visited by consensus of the group.

Designated note taker for each meeting; minutes will be produced after each meeting.

Move along expeditiously.

Maintain a sense of humor.

Follow basic rules of order.

Focused, yet informal atmosphere.

Be goal and action-oriented.

4. *Role of the committee*

The role of the committee was discussed. The City Council resolution forming the committee along with Councilmember Beltramini's corresponding memo was distributed. It was indicated that the deadline for the recommendation is February. A desire to complete the report before the holidays was also mentioned.

5. *Review of desirable public sector site plan elements advanced during the past several years* Biegler reviewed the elements contained in the reports.

6. *Discussion of other desirable public site plan elements* – the committee listed topics for future discussion. It was indicated that a future activity will be a ranking of the elements.

Overall Task Force Issues:

Answer the question: What attracts people to the site?

Avoid unrealistic plans

Review each element: pros and cons

Choose locations for elements.

General Site Issues:

“Cranbrook-like” campus or “Central Park-like” atmosphere; passive recreation-oriented; more of a quiet gathering area

Brick pavers/brick work

Areas of beauty

Town square element; gathering point for community; City needs a center

Programmed destination

Miracle Field and other active elements centered around Community Center

Arts Park

Amphitheater/Ice Rink – quiet, active elements

Path Elements:

Biking, walking areas

Running track

2 mile jogging path

Other Elements:

“X” performing arts center.

Library: expansion, other options, etc.

Traffic/Parking/Transportation Issues:

Traffic Impact

Parking needs

What are the restrictions on the park-and-ride lot by the Skate Park?

Underground and above-the-ground parking structures

Ability to park once and visit site elements

Climate-controlled walkways

Tram System/Satellite shuttles (connecting office buildings to the site)

7. *Possible location of these elements*

To be discussed at future meetings.

8. *Selection of Chair and Vice-chair*

By a vote of the group, Brian Wattles was selected as Chair and Michelle Hodges was selected as Vice-Chair.

9. *Other Issues*

Public Comment: The group agreed to enforce a five minute time limit (per person) for public comment.

Future Meetings: Meetings will be held at 7:30 PM at City Hall in the Council Board Room. Dates are all Wednesdays and are as follows: 9/10, 9/24, 10/8, 10/22, 11/12, and 12/10.

Action Plan for Next Meeting:

Bring Ideas, including:

History of Central Park and Cranbrook

Visit Places

Look at sites: Central Park, Cranbrook, Auburn Hills, Southfield Civic Center Campus, other communities with similar quality of life issues within 50 miles of Troy (City staff to provide list at next meeting as well)

Drive or walk the Civic Center Site

PUBLIC COMMENT

Reminder Next Meeting: **September 10** 7:30 P.M.

Location: City Hall – 2nd Floor – Council Board Room

Meet at east entrance at 7:00 PM for a fact-finding bus tour of the Civic Center Site.

The meeting adjourned at 9:40 p.m.

Brian Wattles, Meeting Chair

Laura Fitzpatrick, Assistant to the City Manager

A Regular Meeting of the Troy Daze Advisory Committee was held Wednesday, September 3, 2003, at the Troy Community Center. Bob Berk called the Meeting to order at 8:31P.M.

ROLL CALL

PRESENT: Bill Hall
Jim Cyrulewski
Robert Preston
Cheryl Whitton Kaszubski
Cele Dilley
Kessie Kaltsounis

ABSENT: Bob Berk
Sue Bishop
Jessica Zablocki

Resolution TD-2003-09-008
Moved by Whitton Kaszubski
Seconded by Kaltsounis

RESOLVED, That Jessica, Sue, and Bob be excused due to illness.

Yes: All-6

MOTION CARRIED

1. APPROVAL OF AUGUST 19, 2003 MINUTES

Resolution TD-2003-09-009
Moved by Hall
Seconded by Dilley

RESOLVED, That the August 19, 2003 minutes be accepted as submitted.

Yes: All-6

MOTION CARRIED

OLD BUSINESS

1. MFEA CONVENTION ATTENDEES

Travel request forms and convention information have been distributed and need to be submitted as soon as possible.

NEW BUSINESS

**1. APPOINTMENT OF MAGIC OF FALL/TROY DAZE FESTIVAL
COMMITTEE MEMBERS**

Resolution TD-2003-09-010

Moved by Kaltsounis

Second by Whitton-Kaszubski

RESOLVED, That Kate Jones be appointed as Rotary Pancake Breakfast Chairperson and Robert Dionisio as Operations Assistant.

Yes: All-6

MOTION CARRIED

Meeting adjourned at 8:44P.M.

BOB BERK, COMMITTEE CHAIRMAN

JOY KOEGLER, Recording Secretary

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, September 4 2003 at the Troy Community Center. Chairman David Ogg called the meeting to order at 10 AM.

Present: David Ogg, Chairman Jo Rhoads, Member
 Ed Forst, Vice-Chairman Jane Crowe, Member
 Bill Weisgerber, Member Merrill Dixon, Member
 Steven Banch, Member Carla Vaughan, Staff

Absent: JoAnn Thompson, Member - excused

Visitors: Stu Alderman, Superintendent of Recreation, Larry Jose, Paula Fleming, Troy School Board, Mary Kerwin, Troy School Board

Approval of Minutes

Resolution # SC-2003-09-001
 Moved by Jo Rhoads
 Seconded by Merrill Dixon

RESOLVED, That the Minutes of June 5, 2003 be approved as submitted.

Yes: 7
 No: 0

MOTION CARRIED

Addition of Prescription Drug Item to Agenda

Resolution # SC-2003-09-002
 Moved by Ed Forst
 Seconded by Bill Weisgerber

RESOLVED, That an item about prescription drugs be added to the agenda under new business at Ed Forst's request.

Yes: 7
 No: 0

MOTION CARRIED

Addition of Troy Daze Parade Item to Agenda

Resolution # SC-2003-09-003
 Moved by Bill Weisgerber
 Seconded by Ed Forst

RESOLVED, That an item about the Troy Daze Parade be added to the agenda under new business at Bill Weisgerber's request.

Discussion was held about the fact this item is already on the agenda under old business and Chairman Ogg stated that Mr. Weisgerber would be given ample time to discuss the parade then.

Yes: 3

No: 4

MOTION DENIED

Visitor Comments

Mary Kerwin from the Troy School Board stated that they would like to send a representative to the Senior Advisory Committee meetings to see how they can establish a relationship between seniors and students. David Ogg welcomed their presence.

Old Business:

Senior Brochures to Library: Ed Forst is taking newsletters to the Library and will take more brochures when they are printed.

Troy Daze Parade: Bill Weisgerber stated that information was sent to 40 senior groups about parade participation. He received only nine responses, and three of those were not interested. Other details about the parade were discussed and Mr. Weisgerber will report in October as to how it went. The Senior Advisory Committee's involvement in Senior Sensation Day was also discussed.

Emerald Food Service Nutrition Advisory Council: David Ogg reported that Emerald Food Service will use the word "nutrition" in the name of their committee so it will not be confused with the Senior Advisory Committee. Steve Banch reported that the committee is getting organized. Jo Rhoads reported that she has had complaints that the homebound lunches are not consistent with the menu. Members questioned why the menu was not in the September newsletter and Carla reported that Emerald did not get it to her on time.

New Business

Election of Civic Center Task Force Representative: David Ogg stated that he would be interested in serving on this committee.

Resolution # SC-2003-09-004

Moved by Bill Weisgerber

Seconded by Ed Forst

RESOLVED, That David Ogg be appointed to serve as the Advisory Committee for Senior Citizen's representative to the Civic Center Task Force.

Yes: 6

No: 0

Abstain: 1

MOTION CARRIED

Election of Park Board Representative

Resolution # SC-2003-09-005

Moved by Bill Wesigerber

Seconded by Ed Forst

RESOLVED, That Merrill Dixon be recommended for appointment as Park Board Representative.

Yes: 6

No: 0

Abstain: 1

MOTION CARRIED

Mr. Dixon stated that the Committee appreciates Larry Jose' many years of service in this position.

Review of Fee Increases: Ed Forst asked what the \$40 fee for senior volleyball covers. Stu Alderman reported that there is a limited subsidy available for the Troy Community Center and therefore a need to charge for use of the new active areas. Fees are being instituted to cover all or part of the cost of some free programs. The \$40 fee for volleyball does not cover the entire cost of the gym. David Ogg questioned the cost of senior computer classes since we are now using volunteer instructors. Carla explained that also due to the limited subsidy, we are now required to build in the cost of replacement computers. We have not had to cover that cost in the past.

Oakland County Prescription Drug Program: Ed Forst wanted everyone to be aware of the fact that your prescription should be filled with the number of pills that the doctor prescribes, and insurance or discounts should cover that number and nothing less.

Reports

Park Board: Larry Jose reported that the Park Board held a special meeting in August to discuss the Rotary park proposal.

Medi-Go: Jo Rhoads reported that everything is going well and that she is going to ask Medi-Go to provide rides to cancer support group meetings.

Lunch Attendance: No report. Bill Weisgerber suggested that a second copy of the menu be posted by the other dining room door that is nearer the entrance so more people will see it. Carla will check into it.

Senior Program Report: Carla reported that the SeniorNet computer classes are going well and all students for summer were either satisfied or highly satisfied with their class. The senior store is also doing well and there are now over 80 vendors.

OLHSA: Mr. Ogg reported that there will be a reverse mortgage speaker at the Community Center on September 10. There are many free prescription drug programs available.

Suggestions

David Ogg read three suggestions regarding the following:

- A request that we go back to calling tables in the lunchroom
- A second request that we go back to calling tables in the lunchroom
- A letter about the need for a new senior center because the lunchroom is too small, the bathroom by the lunchroom is too small, the piano is often unavailable for use, the room for bingo is sometimes changed without notice, the reading room is in a bad location, and the fee for the gym and other senior activities is too high.

Member Comments

Merrill Dixon stated that he found the statistics in the September newsletter about senior program participation interesting and that it speaks well of the programs.

The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

David Ogg, Chairman

Carla Vaughan, Secretary

A meeting of the **Civic Center Priority Task Force (CCPTF)** was held on Wednesday, September 10, 2003 at 7:30 P.M., at City Hall in the Council Board Room. Brian Wattles called the meeting to order at 7:48 p.m.

ROLL CALL: all present

PRESENT:

Mary Ann Bernardi (Troy Citizens United)
Leonard Bertin (Advisory Committee for Persons with Disabilities)
Ann Partlan (Historic District Commission)
Ryan Deel (Traffic Committee)
Catherine Herzog (Troy Youth Council)
Michelle Hodges (Troy Shareholders) (Vice-chair CCPTF)
Jeff Biegler, Superintendent of Parks

Tom Krent (Parks and Recreation Advisory Board)
Mark Maxwell (Board of Zoning Appeals)
David Ogg (Advisory Committee for Senior Citizens)
Carol Price (Downtown Development Authority)
Walter Storrs (Planning Commission)
Brian Wattles (Historical Commission) (Chair CCPTF)

ALSO PRESENT:

Laura Fitzpatrick, Assistant to the City Manager

1. Minutes

Resolution # CCPTF-2003-09-001

Moved by Deel

Seconded by Hodges

RESOLVED, that the minutes of September 3, 2003 meeting be approved.

Yes: All

No: None

Absent: None

MOTION CARRIED

2. Discuss observations from bus tour of the Civic Center campus

Notes: 1)Each check mark generally represents a switch in speaker or break in conversation.

2)These are not verbatim minutes.

- ✓ No connection between elements; car-friendly, not pedestrian friendly
- ✓ A lot of space devoted to parking/cars as opposed to the footprints of the buildings
- ✓ Possibility of creating space by being intelligent about where we put elements/parking; the option of closing streets to create space
- ✓ Troy Daze on site - site too small
- ✓ Surprised how little land we have with which to work
- ✓ Something to attract people to the site – ethnic festivals
- ✓ Site seems very disconnected from the businesses – how to connect 16 mile road to the site
- ✓ Between I-75 and the road there is a lot of property – what can we use it for? Jogging path?

- ✓ Copies of concept plan for park site east of Livernois provided to the group
- ✓ City of Auburn Hills River Walk in Auburn Hills (on Squirrel Road)– 25 acres; Civic Center Site ~17acres (< 25 acres) (without the “L”); with the “L” = 25 acres; a possibility if the voters vote to use the “L” for recreational purposes; has heard that Beverly Hills has a nice park to see
- ✓ Currently the property seems to be divided between active and passive
- ✓ Amphi-theater options – show outdoor movies on the weekend; old movies, musicals, kids movies, etc.
- ✓ There is a natural slope by the Library – for an amphitheater entertainment pointing toward I-75 – better for noise
- ✓ Near the Reflective Head – a maze of vegetation; something that the people could go to by foot; pretty to look at from the road; fun to work through the maze; ancient Troy had a maze as a buffer to the rest of the world; does not have to be the whole space, could be a small part
- ✓ Outdoor skating rink by Reflective Head – fountain in the summer and ice surface in the winter
- ✓ Another location option for the ice rink would be by the Skate Park
- ✓ Must take into account the Reflective Head and Police Entrance in acreage calculations; there is not a lot with which to work; smaller portions of land, sections
- ✓ At this point there is no place for anyone to sit down and rest – benches needed

3. Procedure re: Information Requests of Staff

- ✓ Make requests at the meetings, at the table – the CCPTF as a whole will consider the request

4. Alternates

- ✓ **Speaking Opportunities** – alternates could use the note-passing method

5. Round the table discussion of ideas and suggestions from all members

- ✓ Get something going fairly fast so that the community sees we are doing something; higher priority on the smaller things
 1. Outdoor Ice Rink
 2. Gathering Spaces & Picnic Area
 3. Fountain Plaza
 4. Restrooms in a central area
 5. Walkways – Civic & Community Greens
- ✓ Interest in attracting business people to site during day; Did some Central Park research – destination points in the park – diverse activities; distributed pages from web site; we are building something that can be added to for the next 100 years – let's make a foundation – leave space for the next generation
- ✓ Restroom buildings located in a couple of different areas on the site, important on an active site; also the importance of benches – benches are a popular request in the parks
- ✓ Appropriate vendors for summer fountain vs. winter ice rink (vending could change with the season); warming booth @ skate area secluded area – resting area
- ✓ Areas for disc golf, shuffleboard, other games, etc.
Also, a Carousel would be nice; food carts and vendor areas; art park; small, folksy theater; we have a nice thing going now with summer concerts; would like to see us

make a plan that would include the 7-11 acres so that if the voters allow us to have those acres we do not have to go back to the drawing board; Also, the voters need to see what is possible without a conference center/with the land devoted to recreational uses

- ✓ Disagrees about the outdoor ice rink – cheap to install, but not cheap to maintain; we must consider maintenance costs; when we address the trails, wants to see a sign with the description of the route and where it goes, etc.
- ✓ re: ice rink, winters are getting warmer; it is expensive to maintain
- ✓ likes ice rink idea; does not seem expensive to maintain
- ✓ Biegler shared that Troy used to have “magic squares” – winter ice surfaces (basketball in the summer); they were a lot of maintenance – and snow would also interfere with preparing surface
- ✓ What can we do to draw people into the site? What type of entity could encompass this diverse range of people? – The Library – expansion of the Library; Partnership with colleges; space north of the Library to add onto it
Advocate for connectivity of the buildings; walking
- ✓ Extend the Peace Garden– check out the Peace Garden if you have not done so already

Can the creek onsite be used for a winter ice rink?

- ✓ Landscaping near the reflective head; Art Park – consider small spaces, instead of one dedicated site

Look at connective walkways as a jogging path, too; expand along outer rim road

The jogging path along the roadways should be tied into the one in Hueber Park –so you’d have the option of combining them; it would be interesting to extend a path up the hill behind the Aquatic Center – physically/athletically challenging – everything does not have to be a flat grade

Picnicking areas – pictures from Auburn Hills - covered areas

In order to attract business people to the park during the work day – a shuttle run with the City bus up Big Beaver – 2 or 3 runs between 11 AM and 1 PM; mobile lunch vendors in site to attract them

- ✓ wonderful ideas at the table; Ogg’s proposal is great – coherent; involves passive elements and elements with which everyone at the table can agree; a good framework from which to start; casual outdoor ice rinks can work – a good draw when it is cold

Caution against making a plan that includes the 7-11 acres set aside for potential private development; consider the scope of what the CCPTF has been called upon to do

- ✓ Well-thought out wish list is important; if we can harness all the great things we have seen, we will really have achieved something; be careful to make sure a broad range of stakeholders can use the site

Treehouse idea; peace garden; historical society involvement

Consider the programming for the site – i.e. trick-or-treating programs, Easter egg hunts, nature walks, amenities to parents, movie idea, sledding, art fairs, family & company picnics, clown program for kids, puppets, merri-go-round, ferris wheel, holiday displays, vendors of community made products, wireless access points for business people on lunch breaks (compete in new economy), petting farms, community policing, mini-motorized sailboats on the water, wagons to transport picnic equipment – those things add substance to the site

Give the site a 12-month life

Also, throughout the process think of creative ways to pay for these things

Alternate revenue source – ?

- ✓ Re: Also discussing what elements could go in the “L” section around the Marriott (mentioned earlier in the meeting- 5th check mark above), it was decided that the purpose of the CCPTF, per the resolution, was to discuss other areas of the site, not the “L” area.

6. Review proposed structure for six meeting schedule

PROPOSED

- ✓ 1st four meetings – get solid ideas
- ✓ Then, in November, poll task force and prioritize and professionals will have one month to do drawings, sketches, budget estimates to have for December

7. Detailed discussion of pedestrian paths – we seem to all agree we want paths

- ✓ Path with public art along it
- ✓ Idea: Community Center to Library to rim road to grand circle to reflective head, etc. A surface conducive to joggers; take advantage of the creek – path along the water course; concrete sidewalks are not good for jogging
- ✓ Idea: Around ring road or along the creek – 2 path options that will not interfere with other elements we may choose
- ✓ Also, if path came near Marriott, that would be an amenity to hotel guests
- ✓ Biegler: notes that soft jogging surfaces for an open path will be a maintenance challenge
- ✓ Strolling path brick – for leisure strolling; next to it bike path – side-by-side lanes to avoid traffic jams; use bridge ways to go over traffic areas to avoid conflict with traffic
- Fitness path vs. walking path to connect buildings
 - Come back in 2 weeks re: what want to recommend in terms of pathways (Consensus of CCPTF is that #1 priority is paths)
 - Let's look at entire list and prioritize what to talk about next – rank list – prioritize order – get a top ten
 - Everyone bring your top five elements to next meeting

PUBLIC COMMENT

Reminder Next Meeting: **September 24** 7:30 P.M.
Location: City Hall – 2nd Floor – Council Board Room

The meeting adjourned at 10:10 p.m.

Brian Wattles, Meeting Chair

Laura Fitzpatrick, Assistant to the City Manager

LIBRARY BOARD MINUTES - DRAFT

SEPTEMBER 11, 2003

A Regular Meeting of the Troy Library Board was held Thursday, September 11, 2003 at the Office of the Library Director. Joanne Allen, Chairman, called the meeting to order at 7:30 P.M.

ROLL CALL

PRESENT: Joanne Allen
Lynne Gregory
Brian Griffin
Nancy Wheeler
Audre Zembrzuski
Steve Zhang, Student Rep.
Brian Stoutenburg, Library Director

The Pledge of Allegiance to the Flag was given

Resolution #LB-2003-09-001

Moved by Wheeler

Seconded by Gregory

RESOLVED, That the Minutes of August 21, 2003 be approved

Yes: 5—Allen, Gregory, Griffin, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

Reviewed Agenda entries

Resolution #LB-2003-09-002

Moved by Gregory

Seconded by Zembrzuski

RESOLVED, That the Agenda be approved

Yes: 5—Allen, Gregory, Griffin, Wheeler, Zembrzuski

No: 0

MOTION CARRIED**REGULAR BUSINESS**

The Behavior Policy was discussed particularly on the issues of drinks, food and cell phone usage in the library. Stoutenburg will draft a new policy for review at the next meeting.

REPORTS & COMMUNICATIONS

Director's report.

The draft of the RFP for the Library space needs/feasibility study has been sent to Purchasing for their review. The Building Committee will meet after that review is completed. A new "outreach" service is being introduced. It will focus on service to local daycare centers and will attempt to foster and promote the value of books and literacy in young children, and to introduce families and early childhood educators to all that the library has to offer. This will start out as a pilot program to about five day care centers. Staff has been discussing how to strengthen our adult "outreach" effort. The Grand Opening of our Teen Resource Center was well attended and well received. The library hosted the Suburban Library Cooperative Council and all were impressed with our facility. The Summer Reading Programs for both children and teens were successful in attracting more signups than last year, but the completion rates were down. Staff will be exploring ways to change the program for next year that would encourage more participants to complete.

Board Member comments. Wheeler mentioned an upset patron who had materials on hold and when they came to the library, the books were not there. Another Patron complained that there were no "quiet" areas to study. Gregory asked when we would have a Board member rotate back onto the Cooperative Board.

Friends of the Library. Allen reported that the Friends had not met during the summer, but will meet on September 16th. An October issue of the Newsletter is planned, and a membership drive in the City water bill mailing is being explored.

Monthly Reports (August). Statistics were affected by the 1½-day closing due to the blackout. Circulation for the month of August compared with the same time period a year ago showed an increase of 11.6%. There was a decrease for the month in Patron visits by 2.3%. Program attendance was down 39.4% for the month. The number of library programs offered was down 12.1% for the month.

Staff Changes.

Promoted: David Jensen, from Library Assistant to Library Aide.

Change of Status: Loren Fowler to a Substitute Library Assistant; Elizabeth Gambill to a Substitute Library Aide.

Resigned: Chelsea Zaug, Library Page; Steve Alexander, Library Aide.

Gifts. One gift of \$25.00 was received.

Informational Items. September TPL Calendar.

Contacts and Correspondence. 14 written comments from the public were reviewed.

Public Participation. There was no public participation.

The Library Board meeting adjourned at 8:30 P.M.

Joanne Allen
Chair

Brian Stoutenburg
Recording Secretary

DATE: September 3, 2003
 TO: John Szerlag, City Manager
 FROM: Mark Stimac, Director of Building & Zoning
 SUBJECT: Permits issued during the Month of August 2003

	NO.	VALUATION	PERMIT FEE
<u>INDUSTRIAL</u>			
Tenant Completion	3	\$90,000.00	\$987.00
Add/Alter	2	\$290,208.00	\$2,746.75
Sub Total	5	\$380,208.00	\$3,733.75
<u>COMMERCIAL</u>			
Completion (New)	2	\$495,000.00	\$3,103.25
Add/Alter	19	\$2,421,000.00	\$18,096.75
Sub Total	21	\$2,916,000.00	\$21,200.00
<u>RESIDENTIAL</u>			
New	22	\$3,133,073.00	\$42,212.75
Add/Alter	39	\$1,012,059.00	\$10,600.50
Garage/Acc. Structure	11	\$341,773.00	\$2,955.00
Pool/Spa/Hot Tub	8	\$90,500.00	\$1,575.00
Repair	1	\$1,375.00	\$40.00
Wreck	1	\$0.00	\$150.00
Fnd./Slab/Rat Wall	1	\$2,400.00	\$105.00
Fnd./Slab/Footing	1	\$2,000.00	\$40.00
Sub Total	84	\$4,583,180.00	\$57,678.25
<u>TOWN HOUSE/CONDO</u>			
Add/Alter	1	\$9,150.00	\$210.00
Sub Total	1	\$9,150.00	\$210.00
<u>MULTIPLE</u>			
Add/Alter	4	\$32,000.00	\$520.00
Sub Total	4	\$32,000.00	\$520.00
<u>MUNICIPAL</u>			
Add/Alter	1	\$50,650.00	\$0.00
Sub Total	1	\$50,650.00	\$0.00

MISCELLANEOUS

Signs	51	\$0.00	\$5,490.00
Fences	12	\$0.00	\$190.00

Sub Total	63	\$0.00	\$5,680.00
------------------	-----------	---------------	-------------------

TOTAL	179	\$7,971,188.00	\$89,022.00
--------------	------------	-----------------------	--------------------

PERMITS ISSUED DURING THE MONTH OF AUGUST 2003

	NO.	PERMIT FEE
Mul. Dwel. Insp.	30	\$300.00
Cert. of Occupancy	46	\$1,857.00
Plan Review	105	\$4,053.00
Microfilm	26	\$343.00
Building Permits	179	\$89,022.00
Electrical Permits	177	\$14,136.00
Heating Permits	119	\$6,225.00
Air Cond. Permits	45	\$1,880.00
Refrigeration Permits	1	\$40.00
Plumbing Permits	96	\$8,493.00
Storm Sewer Permits	18	\$344.00
Sanitary Sewer Permits	1	\$25.00
Sewer Taps	30	\$7,038.00

TOTAL	873	\$133,756.00
--------------	------------	---------------------

LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF AUGUST 2003

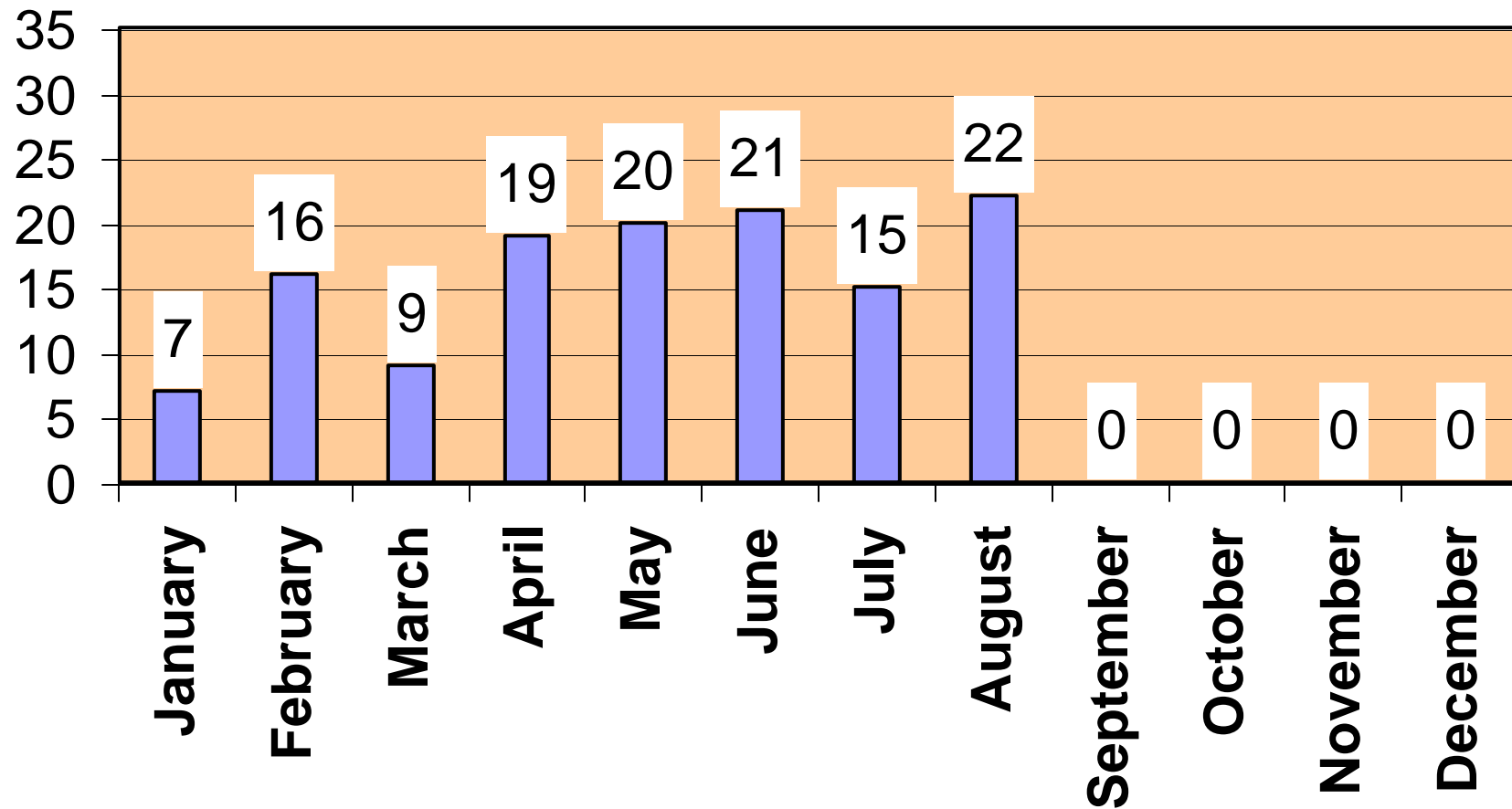
	NO.	LICENSE FEE
Mech. Contr.-Reg.	21	\$105.00
Elec. Contr.-Reg.	23	\$345.00
Master Plmb.-Reg.	25	\$25.00
Sewer Inst.-Reg.	3	\$150.00
Sign Inst. - Reg.	4	\$40.00
Fence Inst.-Reg.	2	\$20.00
Bldg. Contr.-Reg.	27	\$270.00
F.Alarm Contr.-Reg.	3	\$45.00

TOTAL	105	\$955.00
--------------	------------	-----------------

BUILDING PERMITS ISSUED

	BUILDING PERMITS 2002	PERMIT VALUATION 2002	BUILDING PERMITS 2003	PERMIT VALUATION 2003
JANUARY	125	\$21,945,624	83	\$3,349,579
FEBRUARY	106	\$24,049,206	98	\$6,941,418
MARCH	121	\$10,452,003	106	\$10,102,093
APRIL	123	\$9,240,105	150	\$7,185,781
MAY	180	\$6,860,859	269	\$13,984,618
JUNE	225	\$12,585,296	209	\$20,116,880
JULY	193	\$7,968,796	196	\$17,222,754
AUGUST	186	\$31,423,350	179	\$7,971,188
SEPTEMBER	173	\$12,714,701	0	\$0
OCTOBER	189	\$12,832,019	0	\$0
NOVEMBER	122	\$8,532,727	0	\$0
DECEMBER	89	\$6,789,846	0	\$0
TOTAL	1832	\$165,394,532	1290	\$86,874,311

SINGLE FAMILY DWELLING PERMITS 2003



Printed: Sep 3, 2003

Page: 1

BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF AUGUST 2003

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	THE DESIGN & CONST. GROUP	1919 E MAPLE	122,000.00
Commercial, Add/Alter	DENNIS LEFEVER	1050 WILSHIRE 170	312,000.00
Commercial, Add/Alter	TRAVIS R. YOREK	2801 W BIG BEAVER G-219	330,000.00
Commercial, Add/Alter	ISSEI CORPORATION	5365 CROOKS	200,000.00
Commercial, Add/Alter	TURNER CONSTRUCTION	1850 RESEARCH 100	300,000.00
Commercial, Add/Alter	TURNER CONSTRUCTION	1850 RESEARCH 200	700,000.00
Total Commercial, Add/Alter			1,964,000.00
Commercial, Completion New	FERLITO CONSTRUCTION INC	2975 E MAPLE	345,000.00
Commercial, Completion New	GARY ALAN TADIAN	210 TOWN CENTER	150,000.00
Total Commercial, Completion New			495,000.00
Industrial, Add/Alter	LEONARD REALTY LLC	1095 NAUGHTON	275,000.00
Total Industrial, Add/Alter			275,000.00
Records 10			Total Valuation: 2,734,000.00

BRIEF SUMMARY OF PLAN PROVISIONS

REGULAR RETIREMENT (no reduction factor for age)

Eligibility - T.P.O.A., T.C.O.A.; Fire Staff Officers members: 25 years of service; or age 60 with 10 years of service. General and AFSCME Members: Age 50 with 27 years of service; or age 60 with 10 years of service. Classified or Exempt and General Clerical Members: Age 50 with 27 years of service; or age 55 with 25 years of service; or age 60 with 10 years of service.

Mandatory Retirement Age - None.

Annual Amount

Division	Benefit	Supplemental Benefit
T.P.O.A.	2.80% * FAC * Service	1.00% * FAC * Over 25 Yrs (75% max.)
T.C.O.A.	2.25% * FAC * Service	0.25% * FAC * Service
General, AFSCME	2.25% * FAC * Service	0.25% * FAC * Service
General Classified/Exempt	2.25% * FAC * Service	0.25% * FAC * Service
General Clerical	2.25% * FAC * Service	0.25% * FAC * Service
T.F.S.O.A.	2.25% * FAC * Service	0.25% * FAC * Service

Type of Final Average Compensation - Highest 3 years out of last 10.

EARLY RETIREMENT (age reduction factor used)

Eligibility - Age 55 with 10 years of service.

Annual Amount - Computed as regular retirement benefit but reduced by 1/2% for each month by which retirement precedes age 60.

DEFERRED RETIREMENT (vested benefits)

Eligibility - 10 years of service. Benefit payable at age 60.

Annual Amount - Same as regular retirement but based on credited service and final average compensation at termination.

DUTY DISABILITY RETIREMENT

Eligibility - No age or service requirement. Workers' compensation must be payable.

Annual Amount - Same as regular retirement. Upon termination of workers' compensation the benefit is recomputed to grant service credit for the period in receipt of workers' compensation. Minimum benefit is based on 10 years of credited service (66-2/3% of final average compensation for non-command/exempt public safety members, while in receipt of workers' compensation).

NON-DUTY DISABILITY RETIREMENT

Eligibility - 5 years of service (10 years for Exempt and Classified, AFSCME, employees hired after 2/96, MAP employees hired after 9/22/95, T.F.S.O.A. employees).

Annual Amount - Same as regular retirement, but with a minimum benefit based on 10 years of credited service.

DUTY DEATH BEFORE RETIREMENT

Eligibility - No age or service requirement.

Annual Amount - Widow's benefit equal to regular retirement benefit actuarially reduced in accordance with a 100% joint and survivor election. Minimum benefit is 25% (50% for Command Officers T.P.O.A. and T.F.S.O.A.) of final average compensation. If no widow, children under 18 share equally in 25% (50% for Command Officers T.P.O.A. and T.F.S.O.A.) of final average compensation.

NON-DUTY DEATH BEFORE RETIREMENT

Eligibility - 10 years service.

Annual Amount - Same as regular retirement but reduced in accordance with a 100% joint and survivor election.

AUTOMATIC DEATH BENEFIT AFTER RETIREMENT: None

POST-RETIREMENT ADJUSTMENTS: One time increases were granted in 1973, 1977, 1978, 1981, 1983, 1989 and 1999.

HEALTH INSURANCE PREMIUM SUBSIDY: Post-retirement health insurance premiums are subsidized as follows: *T.F.S.O.A., T.C.O.A., T.P.O.A.* - City pays a percentage of monthly premium up to 100% based on (4% x completed years of service). *Classified, Exempt, AFSCME, Clerical* - City pays a percentage of monthly premium up to 100% based on (4% x completed years of service) or \$400/month, whichever is greater.

G: my documents\retirement board\retirement reports\summary annual report to members 12-31-02.doc

City of Troy Retirement System

SUMMARY ANNUAL REPORT TO MEMBERS DECEMBER 31, 2002

Dear Retirement System Member:

The Retirement System, which is managed by the Retirement Board, is designed to help you meet your financial needs should you become disabled, retire or die.

The Retirement Board's fiduciary responsibility to you is to supervise the general administration of the System and invest its assets. Under Act 485 of 1996 we are providing this Summary Annual Report.

We have prepared this summary report to give you a brief overview of the Retirement System and how it operates. We hope you will find it useful and informative. However, a summary cannot cover all the details of the System, which is governed by the provisions of the City's charter, the City's retirement ordinance and the Retirement Board's official rules and regulations. Additional information about the System and its financial operation is available in the City Manager's office.

Respectfully submitted,

*The Retirement Board
City of Troy Retirement System*

Actuaries and Consultants

- Gabriel, Roeder, Smith & Company

David A. Lambert, Councilman
John Szerlag, City Manager
John M. Lamerato, Finance Director
Mark A. Calice, Citizen Trustee
Thomas Houghton, Trustee
Robert Crawford, Trustee
Charles E. Campbell, Trustee

Auditors and Accountants

- Doeren Mayhew

SUMMARY RESULTS OF ACTUARIAL VALUATION

Your retirement system's financial objective is to establish and receive contributions which will remain approximately level from year to year and will not have to be increased for future generations of taxpayers. Contribution levels are expressed in terms of percents of the city's active member payroll.

To determine an appropriate Employer contribution level for the ensuing year and to gauge how the system's funding is meeting this fundamental objective, an independent firm of actuaries and employee benefit consultants, Gabriel, Roeder, Smith & Company, conducts annual actuarial valuations.

These valuations are based on your System's past experience, information about current participation and financial markets, and assumptions concerning the System's future demographic and economic activity. The results of the December 31, 2002 valuation, based on the established funding objective, are summarized below:

Fiscal Year 2003/04 Employer Contribution Rates As a Percentage of Active Member Payroll

Contributions for	General	Public Safety
Normal Cost of Benefits		
Total	13.99%	22.13%
Member portion	<u>1.26</u>	<u>3.80</u>
Employer portion	12.73	18.33
Amortization of Unfunded Liability	(11.04)	(18.33)
Post-Retirement Health Care	<u>5.74</u>	<u>2.60</u>
Computed Employer Rate	7.43%	2.60%

Funded Status	\$ Millions
• Actuarial accrued liabilities	\$126.8
• Applied assets (market related value)	148.4
• % funded	117%

Actuary's Opinion

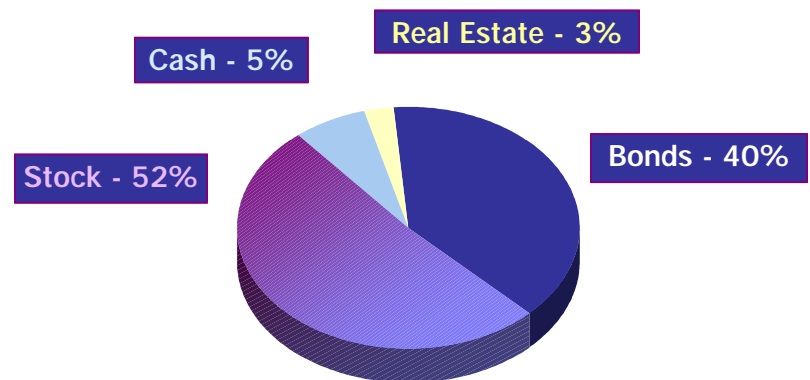
It is the actuary's opinion that the Retirement System is in excellent financial condition at this time as indicated by the financial tests performed.

SUMMARY OF CURRENT ASSET INFORMATION

Revenues & Expenses

	2002
Market Value - January 1	\$153,646,699
Revenues	
Member contributions	364,130
Employer contributions	1,532,439
Investment income	<u>(7,992,398)</u>
Total	(6,095,829)
Expenses	
Benefit payments	3,496,301
Refund of member contributions	7,249,513
Administrative expenses	31,653
Health Insurance Premiums	<u>942,054</u>
Total	11,719,521
Market Value - December 31	<u>\$135,831,349</u>

Investments



The market rate of return on system assets for the year ended December 31, 2002 was (5.4%), net after expenses.

CITY OF TROY
MONTHLY FINANCIAL REPORT
31-Aug-03

CITY OF TROY
Monthly Financial Report
General Fund
For the Period Ending August 31, 2003

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%

GENERAL FUND REVENUES					
TAXES	30,307,619	31,065,440	140	30,996,761	99.78
BUSINESS LICENSES & PERMITS	39,234	44,000	1,289	3,534	8.03
NON-BUS. LICENSES & PERMITS	1,409,770	1,524,500	109,443	272,336	17.86
FEDERAL GRANTS	213,137	50,000	4,608	3,100	6.20
STATE AGENCIES	7,749,165	7,637,000	10,533	10,783	.14
CONTRIBUTIONS-LOCAL	18,228	120,000	124,222	124,222	103.52
CHARGES FOR SERVICES - FEES	1,037,337	1,109,500	45,750	25,928	2.34
CHARGES FOR SERVICES - REND.	2,386,758	1,719,100	35,400	100,616	5.85
CHARGES FOR SERVICES - SALES	47,490	159,000	100,732	105,513	66.36
CHARGES FOR SERVICES - REC	2,190,857	2,694,160	305,762	408,951	15.18
FINES & FORFEITS	896,833	1,027,000	55,898	105,270	10.25
INTEREST AND RENTS	696,307	1,040,700	37,432	70,320	6.76
OTHER REVENUE	367,207	350,940	3,552	7,206	2.05
OTHER FINANCING SOURCES	7,899,144	9,378,040	0	0	.00
	-----	-----	-----	-----	-----
TOTAL GENERAL FUND REVENUE	55,259,086	57,919,380	743,261	32,182,684	55.56
	=====	=====	=====	=====	=====
EXPENDITURES					
LEGISLATIVE	1,853,599	1,956,950	185,807	274,853	14.04
FINANCE	4,168,062	4,642,530	395,920	602,682	12.98
OTHER GEN GOVERNMENT	2,157,616	2,555,680	147,552	218,019	8.53
POLICE	19,837,794	21,426,110	2,031,169	2,901,209	13.54
FIRE	3,579,858	3,683,410	232,455	351,037	9.53
BUILDING INSPECTION	1,811,704	1,978,860	213,654	311,013	15.72
STREETS	4,930,824	5,324,500	331,146	558,954	10.50
ENGINEERING	2,600,192	3,018,400	267,082	382,943	12.69
RECREATION	7,247,260	7,910,940	700,104	1,339,448	16.93
LIBRARY	4,474,276	4,744,000	349,429	533,390	11.24
TRANSFERS OUT	10,000	678,000	0	668,000	98.53
	-----	-----	-----	-----	-----
TOTAL GEN FUND EXPENDITURES	52,671,185	57,919,380	4,854,318	8,141,548	14.06
	=====	=====	=====	=====	=====

REFUSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,800,178	3,870,000	0	3,904,162	100.88
CHARGES FOR SERVICES - REND.	205,650	0	0	0	.00
CHARGES FOR SERVICES - SALES	723	500	170	237	47.40
INTEREST AND RENTS	61,289	60,000	3,466	4,961	8.27
OTHER FINANCING SOURCES	280,340	455,230	0	0	.00
TOTAL REVENUE	4,348,180	4,385,730	3,636	3,909,360	89.14
	=====	=====	=====	=====	=====
EXPENDITURES					
CONTRACTORS SERVICE	4,031,670	4,200,000	283,283	350,814	8.35
OTHER REFUSE EXPENSE	46,522	50,380	2,105	2,902	5.76
RECYCLING	119,948	135,350	8,238	13,584	10.04
TOTAL EXPENDITURES	4,198,140	4,385,730	293,626	367,300	8.37
	=====	=====	=====	=====	=====

CAPITAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	7,417,214	7,594,000	0	7,620,171	100.34
FEDERAL GRANTS	63,679	0	0	0	.00
STATE AGENCIES	6,118,138	7,454,250	0	0	.00
CHARGES FOR SERVICES - REND.	166,664	160,000	66,436	67,779	42.36
INTEREST AND RENTS	454,612	400,000	23,783	48,911	12.23
OTHER REVENUE	287,882	0	14,527	14,527	.00
OTHER FINANCING SOURCES	47,050,522	14,608,910	0	0	.00
TOTAL REVENUE	61,558,711	30,217,160	104,746	7,751,388	25.65
=====					
EXPENDITURES					
FINANCE	20,805	130,000	0	0	.00
OTHER GEN GOVERNMENT	222,101	2,128,000	53,190	54,018	2.54
POLICE	307,687	1,584,100	2,275	2,275	.14
FIRE	451,731	1,066,750	0	0	.00
BUILDING INSPECTION	20,871	30,000	8,911	10,810	36.03
STREETS	14,879,320	18,231,300	503,262	557,366	3.06
ENGINEERING	18,835	0	0	0	.00
RECREATION	10,486,899	2,556,000	104,364	128,017	5.01
LIBRARY	249,018	125,000	0	10,288	8.23
MUSEUM	244,196	1,382,540	161,997	193,960	14.03
STORM DRAINS & RET PONDS	411,374	1,662,970	5,095	5,495	.33
INFORMATION TECHNOLOGY	173,296	1,320,500	0	0	.00
TOTAL EXPENDITURES	27,486,133	30,217,160	839,094	962,229	3.18
=====					

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	0	2,000	0	0	.00
CHARGES FOR SERVICES - REC	0	100,000	11,349	11,349	11.35
INTEREST AND RENTS	0	1,000	0	0	.00
OTHER REVENUE	0	0	0	0	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	0	103,000	11,349	11,349	11.02
	=====	=====	=====	=====	=====
EXPENDITURES					
SANCTUARY LAKE GREENS	0	0	0	0	.00
SANCTUARY LAKE PRO SHOP	0	58,910	2,366	2,366	4.02
SANCTUARY LAKE CAPITAL	0	0	0	0	.00
TOTAL EXPENDITURES	0	58,910	2,366	2,366	4.02
	=====	=====	=====	=====	=====

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	58,910	48,000	5,826	12,781	26.63
CHARGES FOR SERVICES - REC	1,142,907	1,241,530	192,144	400,834	32.29
INTEREST AND RENTS	112,639	90,000	7,842	30,521	33.91
OTHER REVENUE	8,609-	0	38-	157-	.00
OTHER FINANCING SOURCES	180,690	11,530	0	0	.00
TOTAL REVENUE	1,486,537	1,391,060	205,774	443,979	31.92
	=====	=====	=====	=====	=====
EXPENDITURES					
SYLVAN GLEN GREENS	887,841	892,090	77,537	163,412	18.32
SYLVAN GLEN PRO SHOP	333,980	353,970	42,714	60,092	16.98
SYLVAN GLEN CAPITAL	217,552	145,000	5,750	10,579	7.30
TOTAL EXPENDITURES	1,439,373	1,391,060	126,001	234,083	16.83
	=====	=====	=====	=====	=====

AQUATIC CENTER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	383,390	431,620	42,949	120,314	27.87
INTEREST AND RENTS	33,848	28,000	5,378	13,925	49.73
OTHER REVENUE	7	0	6-	7-	.00
TOTAL REVENUE	417,245	459,620	48,321	134,232	29.20
=====					
EXPENDITURES					
AQUATIC CENTER	475,739	578,120	113,388	172,588	29.85
CAPITAL	11,684	50,000	0	0	.00
TOTAL EXPENDITURES	487,423	628,120	113,388	172,588	27.48
=====					

SEWER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	210,191	200,000	16,038	28,668	14.33
CHARGES FOR SERVICES - REND	8,973,121	9,430,000	816,108	601,337-	6.38
INTEREST AND RENTS	334,579	300,000	13,978	21,721	7.24
OTHER REVENUE	0	0	0	0	.00
	-----	-----	-----	-----	-----
TOTAL REVENUE	9,517,891	9,930,000	846,124	550,948-	5.55
	=====	=====	=====	=====	=====
EXPENDITURES					
ADMINISTRATION	8,216,629	8,185,750	1,015,486	1,098,413	13.42
MAINTENANCE	1,412,032	1,734,630	62,783	115,001	6.63
CAPITAL	1,812,800	3,379,600	4,531	9,808	.29
	-----	-----	-----	-----	-----
TOTAL EXPENDITURES	11,441,461	13,299,980	1,082,800	1,223,222	9.20
	=====	=====	=====	=====	=====

CITY OF TROY
Monthly Financial Report
Water Fund
For the Period Ending August 31, 2003

WATER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	1,025,368	830,000	74,468	145,748	17.56
CHARGES FOR SERVICES - SALES	10,270,198	9,465,500	841,322	844,455-	8.92
INTEREST AND RENTS	404,796	448,000	10,242	17,507	3.91
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	11,700,362	10,743,500	926,032	681,200-	6.34
	=====	=====	=====	=====	=====
EXPENDITURES					
ADMINISTRATION	8,457,741	8,277,780	141,366	270,858	3.27
TRANS AND DISTRIBUTION	173,842	246,330	6,762	11,461	4.65
CUSTOMER INSTALLATION	0	108,370	0	0	.00
CONTRACTORS SERVICE	156,818	200,260	19,685	34,605	17.28
MAIN TESTING	60,822	187,610	5,207	13,279	7.08
MAINTENANCE OF MAINS	397,601	335,420	27,621	58,651	17.49
MAINTENANCE OF SERVICES	191,824	197,190	30,041	46,631	23.65
MAINTENANCE OF METERS	189,104	250,480	11,549	27,312	10.90
MAINTENANCE OF HYDRANTS	252,574	336,530	18,918	38,096	11.32
METERS AND TAP-INS	152,435	346,930	25,491	42,605	12.28
WATER METER READING	121,940	83,270	12,118	25,106	30.15
ACCOUNTING AND COLLECTING	59,813	72,140	7,558	15,743	21.82
CAPITAL	3,285,483	8,911,000	42,746	46,216	.52
TOTAL EXPENDITURES	13,499,997	19,553,310	349,062	630,563	3.22
	=====	=====	=====	=====	=====

MOTOR POOL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
-----	-----	-----	-----	-----	-----
REVENUES					
CHARGES FOR SERVICES - REND	0	5,000	0	0	.00
INTEREST AND RENTS	3,582,909	3,559,040	432,369	714,873	20.09
OTHER REVENUE	351,740	147,400	25,818	42,449	28.80
OTHER FINANCING SOURCES	1,760,280	1,422,810	0	0	.00
	-----	-----	-----	-----	-----
TOTAL REVENUE	5,694,929	5,134,250	458,187	757,322	14.75
	=====	=====	=====	=====	=====
EXPENDITURES					
ADMINISTRATION	472,753	488,890	41,483	60,017	12.28
OPERATION AND MAINTENANCE	2,772,608	2,937,310	244,822	419,102	14.27
DPW FACILITY MAINTENANCE	334,450	347,650	13,235	17,996	5.18
CAPITAL	1,353,989	1,360,400	246	246	.02
	-----	-----	-----	-----	-----
TOTAL EXPENDITURES	4,933,800	5,134,250	299,786	497,361	9.69
	=====	=====	=====	=====	=====

09/10/03 11:37:30

09/10/03

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVG012
Page: 1

PAGE 1

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 8/30	Book
101	2004	1	26	7	REPUBLIC	2003	8	29	1.200	CD	259,067		259,066.85
										TOTAL			259,066.85
112	2003	9	4	9	ML	2003	4	25	1.150	TBILL	2,859,000	5,922.89	2,847,154.21
	2003	9	5	7	FLAGSTAR	2003	7	10	1.180	CD	2,031,559		2,031,558.82
	2003	9	11	9	ML	2003	5	2	1.100	TBILL	3,063,000	5,421.51	3,050,870.52
	2003	9	12	7	FLAGSTAR	2003	7	17	1.180	CD	1,006,038		1,006,038.42
	2003	9	15	7	REPUBLIC	2003	7	18	1.200	CD	1,014,281		1,014,280.74
	2003	9	18	9	ML	2003	5	8	1.110	TBILL	3,480,000	5,584.43	3,465,966.23
	2003	9	19	7	FLAGSTAR	2003	8	15	1.210	CD	1,015,633		1,015,632.99
	2003	9	25	9	ML	2003	5	22	1.060	TBILL	1,768,000	1,791.94	1,761,564.48
	2003	9	26	7	FLAGSTAR	2003	7	18	1.180	CD	1,014,286		1,014,286.03
	2003	9	30	7	MIDW	2003	7	29	1.180	CD	1,014,301		1,014,300.95
	2003	10	2	9	ML	2003	5	29	1.060	TBILL	2,814,000	2,676.43	2,803,461.57
	2003	10	3	7	FLAGSTAR	2003	8	1	1.220	CD	1,015,079		1,015,078.58
	2003	10	3	7	FLAGSTAR	2003	8	20	1.210	CD	2,000,000		2,000,000.00
	2003	10	3	7	FLAGSTAR	2003	8	22	1.210	CD	1,017,271		1,017,270.61
	2003	10	9	9	ML	2003	6	5	1.000	TBILL	2,115,000	1,439.38	2,107,745.55
	2003	10	10	7	FLAGSTAR	2003	8	8	1.220	CD	2,030,255		2,030,255.14
	2003	10	10	7	REPUBLIC	2003	8	20	1.200	CD	2,000,000		2,000,000.00
	2003	10	10	7	REPUBLIC	2003	8	22	1.200	CD	1,029,374		1,029,373.84
	2003	10	16	9	ML	2003	6	13	.870	TBILL	2,157,000	875.98	2,150,558.96
	2003	10	17	7	FLAGSTAR	2003	8	20	1.210	CD	1,000,000		1,000,000.00
	2003	10	17	7	HUNT BANK	2003	8	20	1.120	CD	1,000,000		1,000,000.00
	2003	10	23	9	ML	2003	6	19	.790	TBILL	2,107,000	502.17	2,101,247.89
	2003	10	24	7	FLAGSTAR	2003	8	29	1.210	CD	2,044,333		2,044,332.56
	2003	10	29	7	MIDW QUART	2003	8	27	1.300	CD	2,108,799		2,108,798.81
	2003	10	30	9	ML	2003	6	26	.890	TBILL	3,651,000	356.99	3,639,754.92
	2003	11	4	9	ML	2003	7	3	.870	TBILL	2,496,000		2,488,487.04
	2003	11	13	9	ML	2003	7	10	.850	TBILL	2,430,000		2,422,855.80
	2003	11	20	9	ML	2003	7	17	.890	TBILL	2,484,000		2,476,349.28
	2003	12	4	9	ML	2003	7	24	.930	TBILL	2,111,000		2,103,824.95
	2003	12	11	9	ML	2003	7	31	.950	TBILL	2,085,000		2,077,759.26
	2003	12	18	9	ML	2003	8	20	.930	TBILL	2,949,000		2,939,881.04
	2003	12	30	8	NATL CITY	2003	6	30	1.050	FHLB	1,000,000		1,000,000.00
	2003	12	30	8	FITB	2003	6	30	5.000	FHRW12632A	1,574,000		1,392,000.00
	2003	12	30	8	FITB	2003	6	30	5.000	FHRW12627J	2,000,000		1,596,971.68
	2003	12	31	8	FITB	2003	4	29	5.253	FHR03 2596	3,000,000		1,002,916.50
	2003	12	31	8	FITB	2003	5	15	4.500	FHR02 2517	1,540,000		103,043.70
	2003	12	31	8	FITB	2003	5	19	5.000	FHLMC95297	1,000,000		954,663.84
	2003	12	31	8	FITB	2003	8	26	2.000	FHLM 2% 08	500,000		482,500.00
	2003	12	31	8	FITB	2003	8	29	4.000	FHR02 2541	3,700,000		3,044,205.17
	2004	1	8	9	ML	2003	8	7	1.000	TBILL	3,568,000		3,553,042.15
	2004	1	15	9	ML	2003	8	21	.990	TBILL	2,483,000		2,473,165.25
	2004	1	22	9	ML	2003	8	21	.990	TBILL	2,225,000		2,215,767.49
	2004	1	23	8	FITB	2003	7	23	2.140	FHLB	1,700,000		1,700,000.00

7 = CD 8 = Paper 9 = T-Bills

09/10/03 11:37:20

09/10/03

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVQY012
Page: 2

PAGE 2

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2004	3	15	8	FITE	2003	7	30	3.500	FHRO32240W	1,300,000		1,302,683.80
	2004	6	30	8	FITE	1998	12	4	.570	LUG	1,412,927		1,412,926.57
	2004	6	30	8	HUNT BANK	2001	11	20	.570	LUG	514,099		514,099.18
	2004	6	30	8	FITE	2003	2	27	1.250	MAX SAVER	5,069,742		5,069,742.34
	2004	6	30	8	STAND FED	2003	3	27	1.000	MM	12,643,021		12,643,020.86
	2004	7	25	8	FITE	2003	7	30	5.000	FNRO379WE	1,500,000		1,429,725.57
	2005	3	1	8	FITE	2002	10	9		KENT DTAN	209,000		209,000.00
	2005	6	9	8	FITE	2002	12	9	2.550	FHLM	1,000,000	6,340.00	1,000,000.00
	2005	8	26	8	NATL CITY	2003	7	31	2.050	FHLP	1,025,000		1,025,000.00
	2006	1	13	8	FITE	2003	1	15	2.625	FHLM	2,000,000	16,880.00	2,000,000.00
										TOTAL		47,991.72	106,903,183.39
591	2003	8	29	7	REPUBLIC	2003	7	1	1.200	CD	136,475		136,474.69
	2004	3	25	7	NATL CITY	2003	3	27	1.200	FHLM	1,482,299		1,482,298.75
	2004	6	30	7	CDMERICA	1997	7	1	.890	GOV'T POOL	1,823,765		1,823,765.25
	2004	6	30	8	HUNT BANK	2001	11	21	.570	LUG	149,898		149,897.85
	2004	6	30	8	STAND FED	2003	2	20	1.200	M MKT	2,663,179		2,663,179.11
	2005	11	25	8	FITE	2002	12	5	2.000	FHLM	1,000,000	3,750.00	1,000,000.00
										TOTAL		3,750.00	7,255,615.65
688	2004	6	30	7	BANK ONE	1997	7	1	.670	GOV'T POOL	1,293,003		1,293,003.51
	2004	6	30	8	STAND FED	2003	3	5	1.200	MM	2,204,666		2,204,665.73
										TOTAL			3,497,669.24
701	2003	11	24	7	MIDW GUART	2003	8	25	1.400	CD	527,008		527,007.55
										TOTAL			527,007.55
										TOTAL	51,741.72		118,442,542.68

*** END OF REPORT ***

7 = CD 8 = Paper 9 = T-Bills

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Cash and Money Accounts										
	CASH			1		1				
596	WCMA TREASURY FUND CLASS 4		1.00	596	1.00	596			2	.37
Total Cash and Money Accounts				<u>597</u>		<u>597</u>			<u>2</u>	<u>.37</u>

A change in tier assignment will automatically convert the class of WCMA money fund shares held in your account. The WCMA Agreement and Program Description and the WCMA Fund Prospectus contain more details.

Government Securities

2,859,000	U.S. TREASURY BILL ZERO% SEP 04 2003	04/25/03	99.58	2,847,154	99.98	2,858,542	N/A
3,063,000	U.S. TREASURY BILL ZERO% SEP 11 2003	05/01/03	99.60	3,050,870	99.96	3,061,958	N/A
3,480,000	U.S. TREASURY BILL ZERO% SEP 18 2003	05/08/03	99.59	3,465,986	99.94	3,478,155	N/A
1,768,000	U.S. TREASURY BILL ZERO% SEP 25 2003	05/22/03	99.63	1,761,564	99.92	1,766,709	N/A
2,814,000	U.S. TREASURY BILL ZERO% OCT 02 2003	05/28/03	99.62	2,803,461	99.91	2,811,467	N/A
2,115,000	U.S. TREASURY BILL ZERO% OCT 09 2003	06/05/03	99.65	2,107,745	99.89	2,112,758	N/A
2,157,000	U.S. TREASURY BILL ZERO% OCT 16 2003	06/12/03	99.70	2,150,558	99.87	2,154,325	N/A
2,107,000	U.S. TREASURY BILL ZERO% OCT 23 2003	06/19/03	99.72	2,101,247	99.85	2,103,944	N/A
3,651,000	U.S. TREASURY BILL ZERO% OCT 30 2003	06/26/03	99.69	3,639,754	99.83	3,645,012	N/A
2,496,000	U.S. TREASURY BILL ZERO% NOV 06 2003	07/02/03	99.69	2,488,487	99.81	2,491,407	N/A
2,430,000	U.S. TREASURY BILL ZERO% NOV 13 2003	07/10/03	99.70	2,422,855	99.79	2,425,018	N/A

+ CITY OF TROY



Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Government Securities										
2,484,000	U.S. TREASURY BILL ZERO% NOV 20 2003	07/17/03	99.69	2,476,349	99.77	2,478,435	N/A			
2,111,000	U.S. TREASURY BILL ZERO% DEC 04 2003	07/24/03	99.66	2,103,824	99.73	2,105,426	N/A			
2,085,000	U.S. TREASURY BILL ZERO% DEC 11 2003	07/30/03	99.65	2,077,759	99.71	2,079,099	N/A			
2,949,000	U.S. TREASURY BILL ZERO% DEC 18 2003	08/19/03	99.69	2,939,881	99.70	2,940,182	N/A			
3,568,000	U.S. TREASURY BILL ZERO% JAN 08 2004	08/07/03	99.58	3,553,042	99.63	3,554,905	N/A			
2,483,000	U.S. TREASURY BILL ZERO% JAN 15 2004	08/21/03	99.60	2,473,165	99.61	2,473,415	N/A			
2,848,000	US TREASURY BILL ZERO% JAN 29 2004	08/28/03	99.58	2,836,060	99.57	2,835,782	N/A			
2,225,000	U.S. TREASURY BILL ZERO% JAN 22 2004	08/21/03	99.58	2,215,767	99.59	2,215,877	N/A			
Total Government Securities				<u>49,515,537</u>		<u>49,592,425</u>				
Total of Long Portfolio				<u>49,516,134</u>		<u>49,593,022</u>	*		2	.37

* - Excludes N/A Items

Monthly Activity

Date	Transaction	Quantity	Description	Price	Debit	Credit
Security Transactions						
08/07	Redeemed	-3,553,000	U.S. TREASURY BILL ZERO% AUG 07 2003			3,553,000.00
08/07	Purchase	3,568,000	U.S. TREASURY BILL ZERO% JAN 08 2004 FACE VALUE 3568000.0000 CASH TRADE	99.580	3,553,042.15	



CITY OF TROY

July 31, 2003 to

August 29, 2003



Fifth Third Securities, Inc.

38 Fountain Square • MD1 COM13 • Cincinnati, OH 45202

888-889-1025 • 513-534-8820

Internet Address "www.53.com"

CITY OF TROY - GENERAL ACCOUNT

YOUR ACCOUNT NUMBER

30707214

Your investments — cash account

	Quantity	Price on 8/29/03 (\$)	Value on 8/29/03 (\$)	Est. annual income (\$)	Est. yield (%)
Cash and equivalents					
CASH			(108.33)		
FIFTH THIRD INSTL GOVT MM FUND			62,224.45		0.70
Total cash and equivalents			62,116.12		
Fixed income — taxable					
Government and agency bonds					
FEDERAL HOME LN MTG CORP MED TERM NT CALLABLE dDtd 12/09/02 CPN/MATY 2.55% 06/09/05 FC 12/09/03 @ 100 MOODY'S Aaa S&P AAA 3128X0NM7	1,000,000	100.3270	1,003,270.00	25,500.00	2.54
FEDERAL HOME LN MTG CORP MEDIUM TERM NTS CALLABLE dDtd 01/13/03 CPN/MATY 2.625% 01/13/06 FC 01/13/04 @ 100 MOODY'S Aaa S&P AAA 3128X0VA4	2,000,000	100.3560	2,007,120.00	52,500.00	2.61
FEDERAL HOME LN MTG CORP MEDIUM TERM NT CALLABLE CPN=2% TO 06-05 THEREAFTER 4% dDtd 06/10/03 CPN/MATY 2% 12/10/08 FC 06/10/05 @ 100 MOODY'S Aaa S&P AAA 3128X1GL5	500,000	96.7540	483,770.00	10,000.00	2.06
FEDERAL HOME LOAN BANK CONS BD CPN RATE 21/4% TO 7/05;THEREAF CALLABLE dDtd 07/23/03 CPN/MATY 2.25% 07/23/09 FC 01/23/04 @ 100 MOODY'S Aaa S&P AAA 31339YJ52	1,700,000	96.8440	1,646,348.00	38,250.00	2.32
Total government and agency bonds			5,140,508.00		
Mortgage & asset-backed securities					
FEDERAL HOME LN MTG CORP MULT MTG PARTN CTF REMIC 2003 CL 25 dDtd 12/01/02 CPN/MATY 4% 12/15/27 FACTOR IS 0.82070 FHR02 2541LU	3,700,000	100.3010	3,045,753.85	121,464.54	3.98
FEDERAL HOME LN MTG CORP MULT MTG PARTN CTF REMIC 2003 CL 26 dDtd 07/01/03 CPN/MATY 3.5% 03/15/33 FACTOR IS 0.99518 FHR03 2640WA	1,300,000	97.4170	1,260,328.83	45,281.12	3.59
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2002 CL 25 dDtd 10/01/02 CPN/MATY 4.5% 10/15/17 FACTOR IS 0.00084 FHR02 2517JH	1,540,000	99.5120	1,290.24	58.34	4.52
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 25 dDtd 04/01/03 CPN/MATY 5.25% 08/15/31 FACTOR IS 0.33430 FHR03 2596TD	3,000,000	100.9250	1,012,193.47	52,653.11	5.20
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 dDtd 06/01/03 CPN/MATY 5% 07/15/31 FACTOR IS 0.79848 FHR03 2627JK	2,000,000	99.0000	1,581,001.96	79,848.58	5.05
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 dDtd 06/01/03 CPN/MATY 5% 06/15/31 FACTOR IS 1.00000 FHR03 2632AA	1,392,000	99.5900	1,386,292.80	69,600.00	5.02
FEDERAL NATL MTG ASSN MULTICLA MTG PARTN CTF REMIC 2003 CL 79 dDtd 07/01/03 CPN/MATY 5% 11/25/32 FACTOR IS 0.95315 FNR03 79WE	1,500,000	98.5650	1,409,209.11	71,486.28	5.07
FHLMC PARTN CTF POOL E95237 dDtd 03/01/03 CPN/MATY 5% 03/01/13 FACTOR IS 0.90848 FHLMC E95237	1,000,000	101.0790	918,287.75	45,424.26	4.94
Total mortgage & asset-backed securities			10,614,358.01		

DATE: September 15, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Announcement of Public Hearing
Parking Variance Request
2075 – 2085 W. Big Beaver Road

We have received an application from James Powell of GHA Architects, representing Maggiano's Restaurant, to demolish the existing Rio Bravo Restaurant and construct a new restaurant in its place at 2085 W. Big Beaver Road. The new restaurant will have a seating capacity of 420 persons. This capacity, along with the area of the attached office building at 2075 W. Big Beaver, requires that at least 483 parking spaces are available on the site per Sections 40.21.31 and 40.21.71 of the Troy Zoning Ordinance. The plans submitted with the application indicate that there will be only 460 parking spaces available. The permit application for this work has been denied. In response, the petitioners have filed an appeal of the parking requirement.

A Public Hearing has been scheduled for your meeting of October 6, 2003 in accordance with Section 44.01.00.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the site plan of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments:

PARKING VARIANCE APPLICATION
FOR PUBLIC HEARING BEFORE CITY COUNCIL
CITY OF TROY

RECEIVED

SEP 09 2003

BUILDING DEPARTMENT

TO TROY CITY COUNCIL

DATE: 9-8-03

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: MAGGIANO'S

Phone: 972-770-3272

Address: 6820 LBJ FREEWAY DALLAS, TX 75240

Address of Property: 2055 W. BIG BEAVER RD. TROY, MI 48084

Lot # _____ Subdivision: _____

Zoning District: O-S-C- Sidwell # _____

Owner of Property: FINSILVER/FRIEDMAN

Phone: 248-324-2030

Address: 34975 W. 12 MILE RD., FARMINGTON HILLS, MI 48331

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: SEPT. 5, 2003

Has there been a previous appeal involving this property? NO If Yes, state date _____

and particulars _____

REASON FOR VARIANCE:

Dimension of Stall? _____

Parking Spaces Required: 483

Number of Stalls? ✓

Parking Spaces Provided: 460

Other Dimensions? _____

Variance Requested: 23 SPACES

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

SEEKING RELIEF FROM CHAPTER 39, ARTICLE XI, SECTIONS 40.21.01, 40.21.30 + .31, 40.21.70 + .71. REPLACING EXISTING RIO BRAVO WITH A MAGGIANO'S. EXISTING SITE CONTAINS 460 SPACES AND DOES NOT HAVE CAPACITY FOR EXPANSION.

PLOT PLAN OF SITE ATTACHED HERETO

~~TEXAS~~
STATE OF MICHIGAN)
COUNTY OF DALLAS)

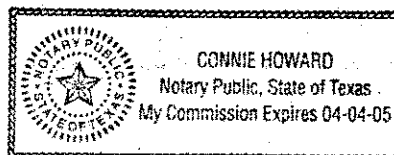
I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: 9-8-03 James E. Powell JAMES E. POWELL
(Signature of Applicant)

Signed and Sworn to before me this 8TH day of SEPTEMBER 2003

Connie Howard
Notary Public

My Commission Expires: 04-04-2005



Filing Fee \$200.00

Date Paid



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

September 5, 2003

RECEIVED

SEP 09 2003

BUILDING DEPARTMENT

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

Jim Powell, AIA
Gerdes Henrichson & Associates
14110 Dallas Parkway, Suite 100
Dallas, TX 75240

Dear Sir:

We are in receipt of your application for a Building Permit to construct a new Maggiano's restaurant in the location of the existing Rio Bravo restaurant at 2085 W. Big Beaver.

The plans and specifications submitted to this office do not meet the requirements as set forth in the City Ordinance for the following reasons:

The proposed development of the new restaurant in conjunction with the existing office building will result in a required minimum number of parking spaces of at least 483. Plans submitted by you for this development show that only 460 parking spaces would be available.

Therefore, your application may not be further processed until the above items are corrected and/or you receive a variance from the City Council. Applications are available through the Building Department.

If you have any questions regarding the above, please feel free to contact me.

Sincerely,

Mark Stimac
Director of Building & Zoning

MS/pp

RECEIVED
AUG 26 2003
BUILDING DEPARTMENT

MAGGIANO'S
LITTLE ITALY
TROY, MI

DO NOT SCALE DRAWINGS
CONTRACTOR TO VERIFY
ALL EXISTING CONDITIONS AND
DIMENSIONS-NOTIFY ARCHITECT
OF ANY DISCREPANCIES PRIOR
TO BEGINNING CONSTRUCTION

NO REVISION

PROJECT NUMBER

SHEET NUMBER

SP1
OF 3 SHEETS

ORIGINAL ISSUE DATE - 3-21-03
DATE OF THIS PRINTING - 3-21-03

EASEMENTS	
EASEMENTS SHOWN ARE PER TITLE POLICY HOLDING BY TRAVELER TITLE COMPANY, INC. COMMITMENT NO. M-2000000-174 EFFECTIVE DATE APRIL 15, 1998	
SCHEDULE B EXCEPTIONS	
ITEM 4	CITY OF TROY, DECLARATION OF TAKING, RECORDED IN L 15657, P.729 HAS BEEN SHOWN
ITEM 5	CITY OF TROY, DECLARATION OF TAKING, RECORDED IN L 15657, P.733 HAS BEEN SHOWN
ITEM 6	DETROIT EDISON COMPANY/RIGHT-OF-WAY, L 15400, P.216, HAS BEEN SHOWN, (AFFECTS PARCEL 1), L 15400, P.213, HAS BEEN SHOWN, (AFFECTS PARCEL 2)
ITEM 7	DECLARATION OF RECIPROCAL CROSS-EASEMENT RECORDED IN L 12325, P.409 HAS BEEN SHOWN
ITEM 8	DETROIT CELLULAR TELEPHONE COMPANY, RECORDED IN L 15430, P.496 ROOF TOP LEASE FOR ANTENNAS, HAS NOT BEEN SHOWN
ITEM 10	LICENSE AGREEMENT REGARDING PARKING AREAS RECORDED IN L 15475, P.330 AND L 15475, P.327 HAS NOT BEEN SHOWN
ITEM 11	SIGN LEASE AGREEMENT RECORDED IN L 14303, P.020 HAS NOT BEEN SHOWN
ITEM 12	MICHIGAN BELL TELEPHONE COMPANY, RECORDED IN L 6321, P.543 HAS BEEN SHOWN (LIES WITHIN THE BIG BEAVER ROAD R.O.W.)
ITEM 13	MICHIGAN BELL TELEPHONE COMPANY, RECORDED IN L 6321, P.543 HAS BEEN SHOWN
ITEM 14	EASEMENT GRANTED TO CASA LURIA RESTAURANTS, INC., RECORDED IN L 6646, P.109 HAS BEEN SHOWN
ITEM 15	EASEMENT TO THE CITY OF TROY, RECORDED IN L 6646, P.109 HAS BEEN SHOWN (EASEMENT IS CENTERED ON WATERWAY)

DEVELOPMENT DATA

ZONING = OSC, OFFICE-SERVICE-COMMERCIAL
LAND AREA, PARCELS I, II, III = 6.234 ACRES OR
271,553.3 S.F.

MAGGIANO'S = 13,656 G.S.F.
2075 W. BIG BEAVER ROAD
USE = RESTAURANT, PERMITTED USE SUBJECT TO
SPECIAL CONDITIONS

EXISTING OFFICE BUILDING = 48,200 U.S.F.
2075 W. BIG BEAVER ROAD
USE = OFFICE, PERMITTED USE
USE = OFFICE

REQUIRED LANDSCAPING
10% OF NET SITE = 27,155 S.F.
USE = OFFICE, PERMITTED USE
USE = OFFICE

EXISTING PARKING SPACES:
REGULAR SPACES = 448
HANDICAP SPACES = 14
TOTAL = 460 SPACES

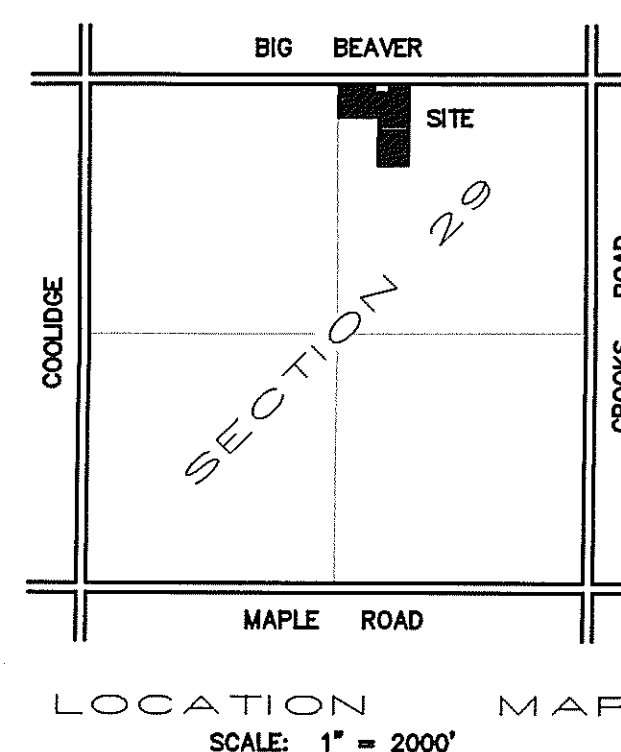
REQUIRED PARKING SPACES: 487 SPACES
RESTAURANT = 1 SPACE PER 2 SEATS, PLUS
1 EMPLOYEE SPACE PER 10 SEATS
TOTAL SEATS = 420
TOTAL REQUIRED = 256 SPACES
OFFICE BUILDING = 1 SPACE PER 200 USABLE S.F.
OFFICE BUILDING = 46,200 U.S.F.
TOTAL REQUIRED = 231 SPACES

2075/2085 BIG BEAVER

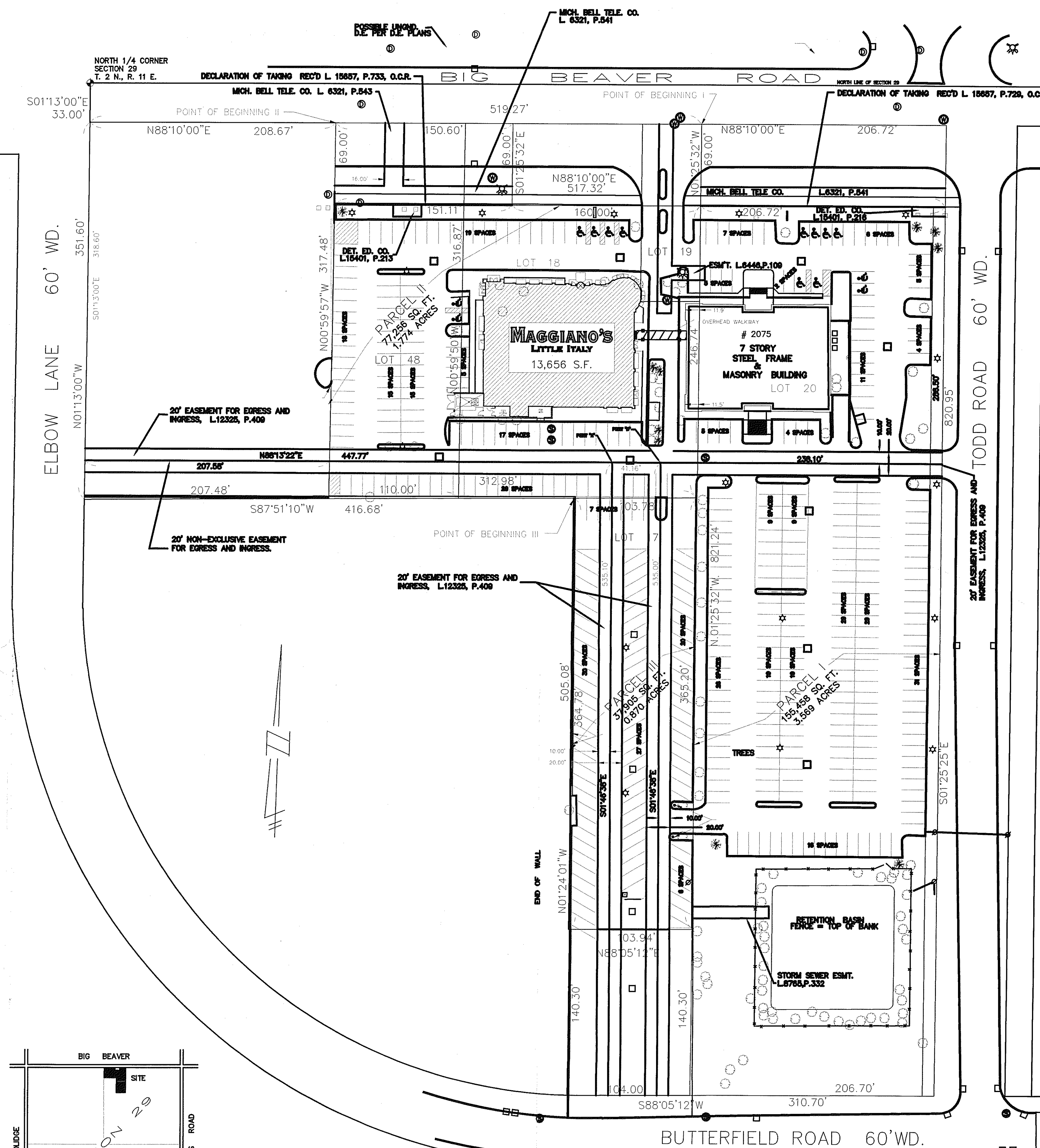
SECTION 29, T. 2 N., R. 11 E.
CITY OF TROY
OAKLAND COUNTY MICHIGAN

LANDLORD:
FINSILVER/FRIEDMAN MANAGEMENT
34975 W. 12 MILE ROAD
SUITE 100
FARMINGTON HILLS, MI. 48331
PHONE 248.324.2030

LANDLORD:
FINSILVER/FRIEDMAN MANAGEMENT
34975 W. 12 MILE ROAD
SUITE 100
FARMINGTON HILLS, MI. 48331
PHONE 248.324.2030



THE INFORMATION RELATED TO EXISTING CONDITIONS ON THIS SITE
PLAN IS TAKEN FROM AN UPDATED ALTA SURVEY PROVIDED BY
MILLETICS AND ASSOCIATES, L.L.C. 248-473-7880
40399 GRAND RIVER AVENUE SUITE 110 NOK, MI. 48375-2123
UPDATED 6-4-03.



Parcel I:
Lot 20, Supervisor Plat of Walker Farms, a subdivision of part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 65 on Page 36 of Plats, Oakland County Records, being more particularly described as: Commencing at the North 1/4 corner of said Section 29, thence South 01° 13' 00" East, 33.00 feet along the North and South 1/4 line of said Section 29, thence North 88° 10' 00" East, 519.27 feet, along the Southern Right-of-Way line of Big Beaver Road (33.00 foot Right-of-Way), to the Northeast corner of said Lot 20 and the Point of Beginning, thence continuing North 88° 10' 00" East, 206.72 feet, along the Southern Right-of-Way of said Big Beaver Road, to the Northeast corner of said Lot 20, thence South 01° 25' 32" East, 820.95 feet, (previously recorded as 822.00 feet), along the Northern Right-of-Way of Butterfield Road (60 feet wide) to the Southwest corner of said Lot 20, thence North 01° 25' 32" West, 821.24 feet, (previously recorded as 822.00 feet), along the Western line of said Lot 20, to the point of beginning. EXCEPTING therefrom the Northern 69.00 feet taken by the City of Troy as recorded in Liber 15657 on Page 729, Oakland County Records. All of the above containing 3.569 Acres.

RE: 2075 West Big Beaver
Tax Item No. 20-29-201-016

Parcel II:
Lot 48, Supervisor Plat of Butterfield Farm, a subdivision of part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 48, on Page 44 of Plats, Oakland County Records, and also a part of Lots 18 and 19, Supervisors Plat of Walker Farms, a subdivision of part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 65, on Page 36 of Plats, Oakland County Records, being more particularly described as: Commencing at the North 1/4 corner of said Section 29, thence South 01° 13' 00" East, 33.00 feet, along the North and South 1/4 line of said Section 29, thence North 88° 10' 00" East, 208.67 feet, along the Southern Right-of-Way line of Big Beaver Road (33.00 foot Right-of-Way), to the Northeast corner of said Lot 48, and the Point of Beginning, thence continuing North 88° 10' 00" East, 150.60 feet, along the Southern Right-of-Way of said Big Beaver Road, thence South 01° 25' 32" East, 69.00 feet, thence North 88° 10' 00" East, 160.00 feet to a point on the Eastern line of said Lot 18, (said point being South 01° 25' 32" East, 69.00 feet from the Northeast corner of said Lot 18), thence South 01° 25' 32" East, 246.74 feet, along the Eastern line of said Lot 18 and 19, to the Southeast corner of said Lot 18, thence South 87° 51' 10" West, 312.08 feet, (previously recorded as 313.22 feet), along the southerly line of said Lot 18 and 48, to the Southwest corner of said Lot 48, thence North 01° 59' 57" West, 217.48 feet, along the Western line of said Lot 48, to the point of beginning. EXCEPTING therefrom the Northern 69.00 feet taken by the City of Troy as recorded in Liber 15657 on Page 733, Oakland County Records. All of the above containing 1.774 Acres.

RE: 2085 West Big Beaver
Tax Item No. 20-29-201-015

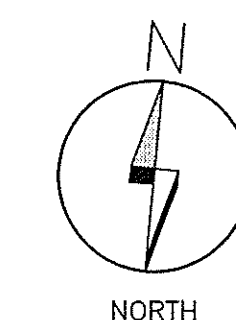
Parcel III:
North portion of Lot 17, a part of Lot 17, Supervisors Plat of Walker Farms, a subdivision of part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 65, on Page 36 of Plats, Oakland County Records, being more particularly described as: Commencing at the North 1/4 corner of said Section 29, thence South 01° 13' 00" East, 351.60 feet, along the North and South 1/4 line of said Section 29 and the Eastern line of said Lot 17, thence North 87° 51' 10" East, 416.68 feet, (previously recorded as 416.70 feet), to the Northwest corner of said Lot 17 and the Point of Beginning, thence North 87° 51' 10" East, 103.78 feet, (previously recorded as 104.00 feet), along the Northern line of said Lot 17, to the Northeast corner of said Lot 17, thence South 01° 25' 32" East, 355.20 feet, along the Eastern line of said Lot 17, thence South 88° 05' 12" West, 103.94 feet, to the Western line of said Lot 17, thence North 01° 24' 01" West, 364.78 feet, along the Western line of said Lot 17, to the point of beginning. All of the above containing 0.870 Acres.

Tax Item No. 20-29-201-021

Non-Exclusive Easement Description

Together with a non-exclusive easement for ingress and egress described as follows: A 20 foot wide easement for ingress and egress located within Lot 48, Supervisors Plat of Butterfield Farm, a subdivision of part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 48, Page 44 of Plats, Oakland County Records, the centerline of said easement being more particularly described as: Commencing at the North 1/4 corner of said Section 29, thence South 01° 13' 00" East, 318.60 feet, along the North and South 1/4 line of said Section 29, and the Eastern Right-of-Way of Elbow Lane (60 feet wide), to the Point of Beginning, thence North 88° 13' 22" East, 207.58 feet, to the point of ending, (said point located South 00° 59' 57" East, 236.01 feet from the Northeast corner of said Lot 49.)

LEGEND	
—	EXISTING ELEVATIONS
—	EXISTING CONTOURS
—	EX. WATER MAIN
—	EX. STORM SEWER
—	EX. SANITARY SEWER
○	MANHOLE
□	CATCH BASIN
○	6" WATER
○	HYDRANT
○	UTILITY POLE
○	QUIV WIRE
○	LIGHT POLE
□	FENCE
□	DETROIT EDISON/VARIABLE BOX
○	TREE (DECIDUOUS)
○	TREE (CONIFEROUS)
○	FD IRON
○	SET IRON



01 SITE PLAN
SCALE: 1" = 50'

DO NOT SCALE DRAWINGS
 CONTRACTOR TO VERIFY
 ALL EXISTING CONDITIONS AND
 DIMENSIONS-NOTIFY ARCHITECT
 OF ANY DISCREPANCIES PRIOR
 TO BEGINNING CONSTRUCTION

NO REVISION

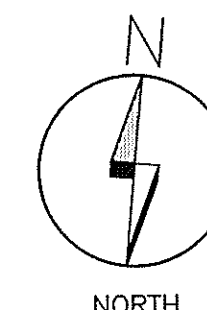
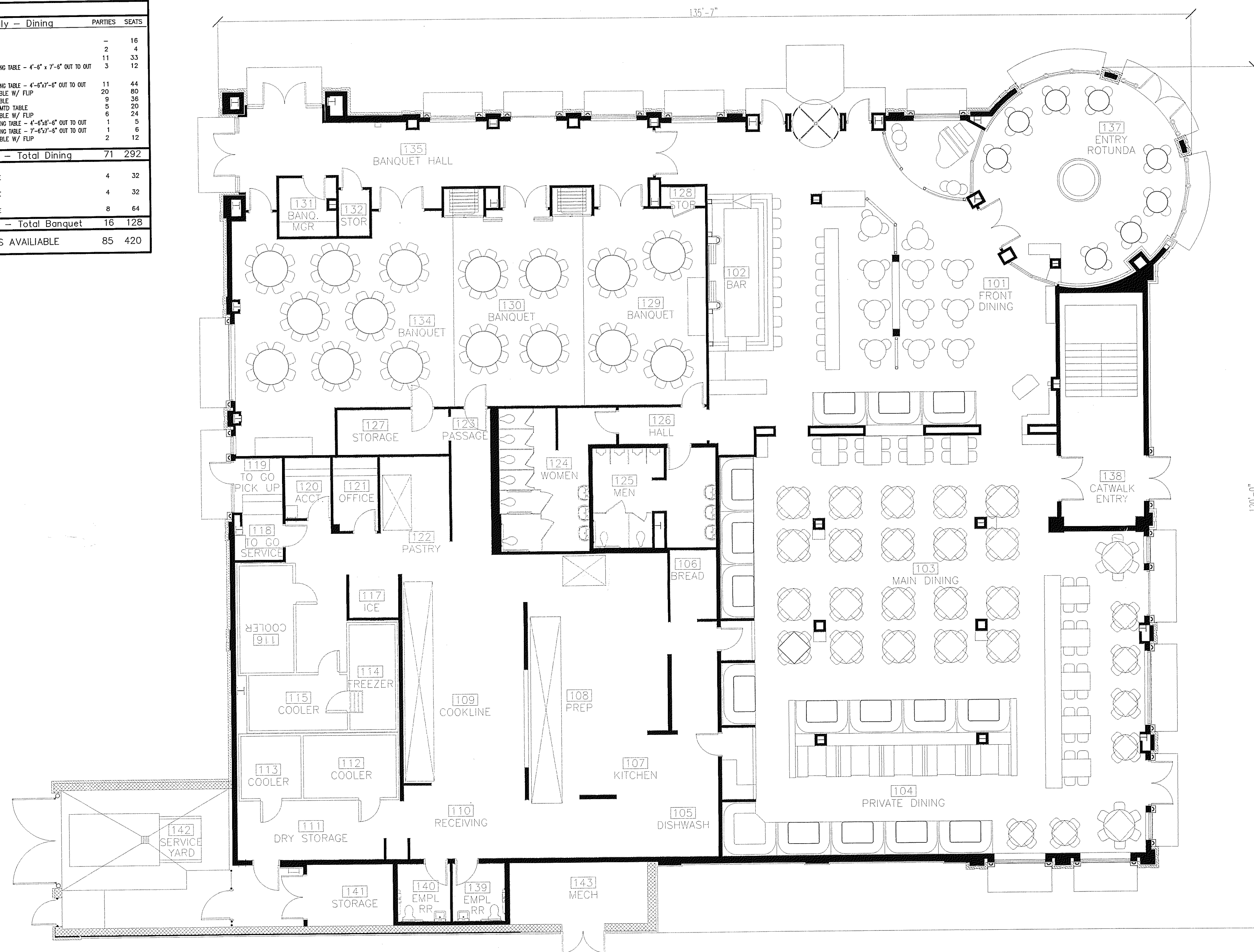
PROJECT NUMBER

SHEET NUMBER

A 101
 OF 3 SHEETS

ORIGINAL ISSUE DATE - 3-21-03
 DATE OF THIS PRINTING - 3-21-03

SEATING CALCULATIONS:		
Maggiano's - Little Italy - Dining		
PARTIES	SEATS	
FRONT DINING:		
COUNTER SEATS	-	16
2 TOP - 24" FREESTANDING TABLE	2	4
3 TOP - 36" FREESTANDING TABLE	11	33
4 TOP "U" SHAPED BOOTHS W/ FREESTANDING TABLE - 4'-6" x 7'-6" OUT TO OUT	3	12
MAIN DINING:		
4 TOP "U" SHAPED BOOTHS W/ FREESTANDING TABLE - 4'-5 1/2" x 6" OUT TO OUT	11	44
4 TOP - 36"x36" FREESTANDING TABLE W/ FLIP	20	80
4 TOP - 30"x48" FREESTANDING TABLE	9	36
4 TOP BOOTH - 30"x48" BRACKET MID TABLE	5	20
4 TOP - 30"x30" FREESTANDING TABLE W/ FLIP	6	24
5 TOP "U" SHAPED BOOTHS W/ FREESTANDING TABLE - 4'-5 1/2" x 6" OUT TO OUT	1	5
6 TOP "U" SHAPED BOOTHS W/ FREESTANDING TABLE - 7'-5 1/2" x 6" OUT TO OUT	1	6
6 TOP - 36"x36" FREESTANDING TABLE W/ FLIP	2	12
Maggiano's-Little Italy - Total Dining	71	292
BANQUET ROOM "1"		
8 TOP - 60" FREESTANDING TABLE	4	32
BANQUET ROOM "2"		
8 TOP - 60" FREESTANDING TABLE	4	32
BANQUET ROOM "3"		
8 TOP - 60" FREESTANDING TABLE	8	64
Maggiano's-Little Italy - Total Banquet	16	128
BUILDING TOTAL SEATS AVAILABLE	85	420



01 FLOOR / SEATING PLAN
 SCALE: 1/8" = 1'-0"

September 17, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
 Gary Shripka, Assistant City Manager/Services
 Mark Stimac, Building and Zoning Director
 Doug Smith, Real Estate and Development Director
 Mark F. Miller, Planning Director

SUBJECT: ANNOUNCEMENT OF PUBLIC HEARING (OCTOBER 6, 2003) - PRELIMINARY SITE PLAN REVIEW AND AMENDED CONSENT JUDGMENT (SP 146) – Troy Commons, Northwest Corner of Big Beaver and Rochester Roads, Section 22 – B-2 and B-3 (Consent Judgment)

RECOMMENDATION

The Planning Commission recommended approval of the preliminary site plan at their September 9, 2003 meeting. Further, the Planning Commission recommended that the 5-foot wide connecting sidewalk be relocated and the City Traffic Engineer reviews the Rochester Road. Based upon Planning Commission input a site plan revision indicates the connecting sidewalk as requested. The proposed restaurant uses are compatible with the surrounding uses and are appropriate given their location. City Management recommends that the Consent Judgment be amended to accommodate the proposed development.

However, there is a signage package submitted that exceeds the maximum size requirements. City Management will submit an analysis of the proposed signs for the October 6, 2003 public hearing. City Management recommends that the site plan clarify that the existing sign along Rochester Road will be removed and a new sign provided at the proposed location.

The City Attorney will submit the amended consent agreement for the public hearing scheduled on October 6, 2003.

GENERAL INFORMATION

Name of Owner / Applicant:

The applicant is Stuart Frankel of Stuart Frankel Development Company.

Location of Subject Property:

The property is located on the northwest corner of Big Beaver Road and Rochester Road, in section 22.

Size of Subject Parcel:

The parcel is approximately 13.2 acres in area.

Proposed Use of Subject Parcel:

The Troy Commons Shopping Center is approximately 534,677 square feet (12.27 acres) in area. The applicant has acquired a City remnant parcel abutting the property to the east that is approximately 40,360 square feet in area. The applicant is proposing to demolish an existing stand-alone restaurant in the southeast corner of the development and construct a 6,000 square foot stand-alone restaurant and a 11,700 square foot retail building on the east side of the property. The Consent Judgment must be amended by City Council to add the remnant parcel to the Troy Commons Shopping Center and expand the size of the development on the property.

Parcel History:

The use of the property is controlled by a Consent Judgment, as ordered by the Court of Oakland County on May 2, 1985 and amended on January 7, 1998. The Consent Judgment permits the property to be used for the Troy Commons Shopping Center. The Consent Judgment restricts the size of the development to 140,000 square feet (including the bank to the west of the parcel, which was included in the Consent Judgment but has been split from the parcel). The applicant proposes a total development of 140,967 square feet (including the bank). The Consent Judgment needs to be amended by City Council to permit this additional development, following a recommendation from the Planning Commission.

Current Use of Subject Property:

The property is presently used as the Troy Commons Shopping Plaza.

Current Zoning Classification:

The Troy Commons property is zoned B-2 Community Business and B-3 General Business. The proposed restaurants will be located on the portion that is zoned B-3.

Current Use of Adjacent Parcels:

North: Woodside Bible Church, single family residential and detention area.

South: Troy Market Place and Burger King Restaurant.

East: Troy Fire Station No. 1, Mr. Pita and Springwood Square Shopping Center.

West: First of America Bank.

Zoning Classification of Adjacent Parcels:

North: P-1 Vehicular Parking, B-3 General Business and R-1E One Family Residential.

South: H-S Highway Service, B-1 Local Business and O-1 Office Building.

East: C-F Community Facility and B-3 General Business.

West: O-M Office Mid-Rise.

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Regional Center.

ANALYSIS

Compliance with area and bulk requirements of R-C district and Consent Judgment:

Lot Area: N/A in B-3 Zoning District.

Lot Width: N/A in B-3 Zoning District.

Height: 3 stories or 40 feet.

Setbacks: Front: 40 feet required. The applicant has provided 77 feet.
Side: (least): 10 feet required. The applicant has provided 66 feet.
Rear: 30 feet required. The applicant has provided 77 feet.

The applicant meets the area and bulk requirements of the B-3 district and the Consent Judgment.

Off-Street Parking and Loading Requirements:

Under the provisions of the Consent Judgment, the applicant is required to provide at least 625 off-street parking spaces.

Based on the Zoning Ordinance, the parking requirements are as follows:

Shopping Center: 699 spaces

Bank: 28 spaces

New Retail: 69 spaces

New Restaurant (225 seats): 136

The required parking spaces based on Zoning Ordinance requirements are 932 spaces. The applicant has provided 672 spaces.

A loading/unloading area for each business is provided next to the drive on the north side of the shopping center.

Vehicular and Non-motorized Access:

Vehicular access is provided by three (3) two-way entry drives on Big Beaver and one (1) entry drive (with boulevard entrance) on Rochester Road.

Non-motorized access has been provided by an 8-foot wide sidewalk along Big Beaver and Rochester Roads. A five (5) foot wide sidewalk is proposed to connect the restaurant with the Big Beaver and Rochester Road sidewalks, however this sidewalk is located on the east side of the entry drive on Big Beaver. An additional 5-foot wide sidewalk connection to the restaurant is needed at the Big Beaver/Rochester Road intersection to improve pedestrian access to the restaurant and the retail uses.

Storm Water Detention:

The applicant is proposing to utilize the existing regional detention basin, which abuts the property to the northwest.

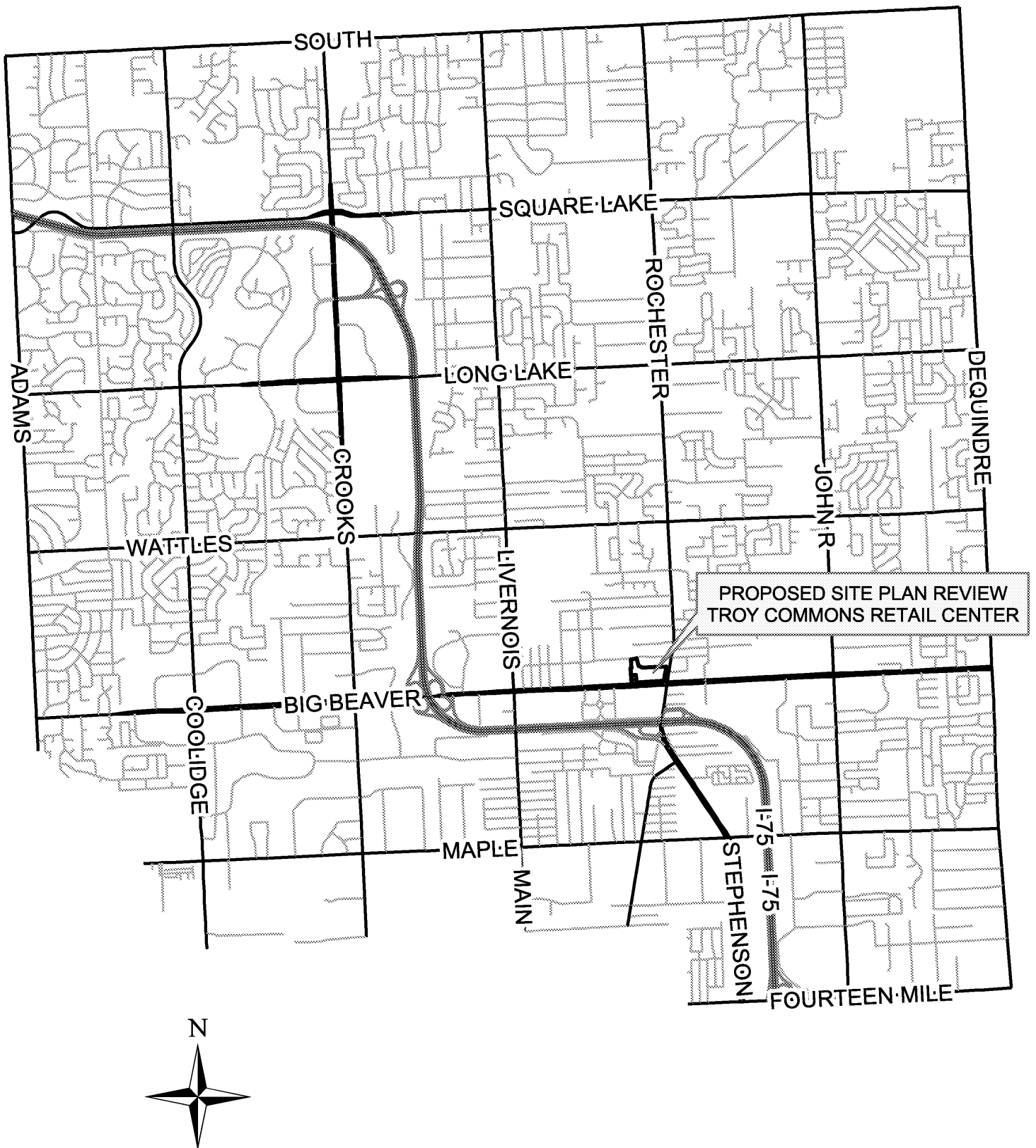
Natural Features and Floodplains:

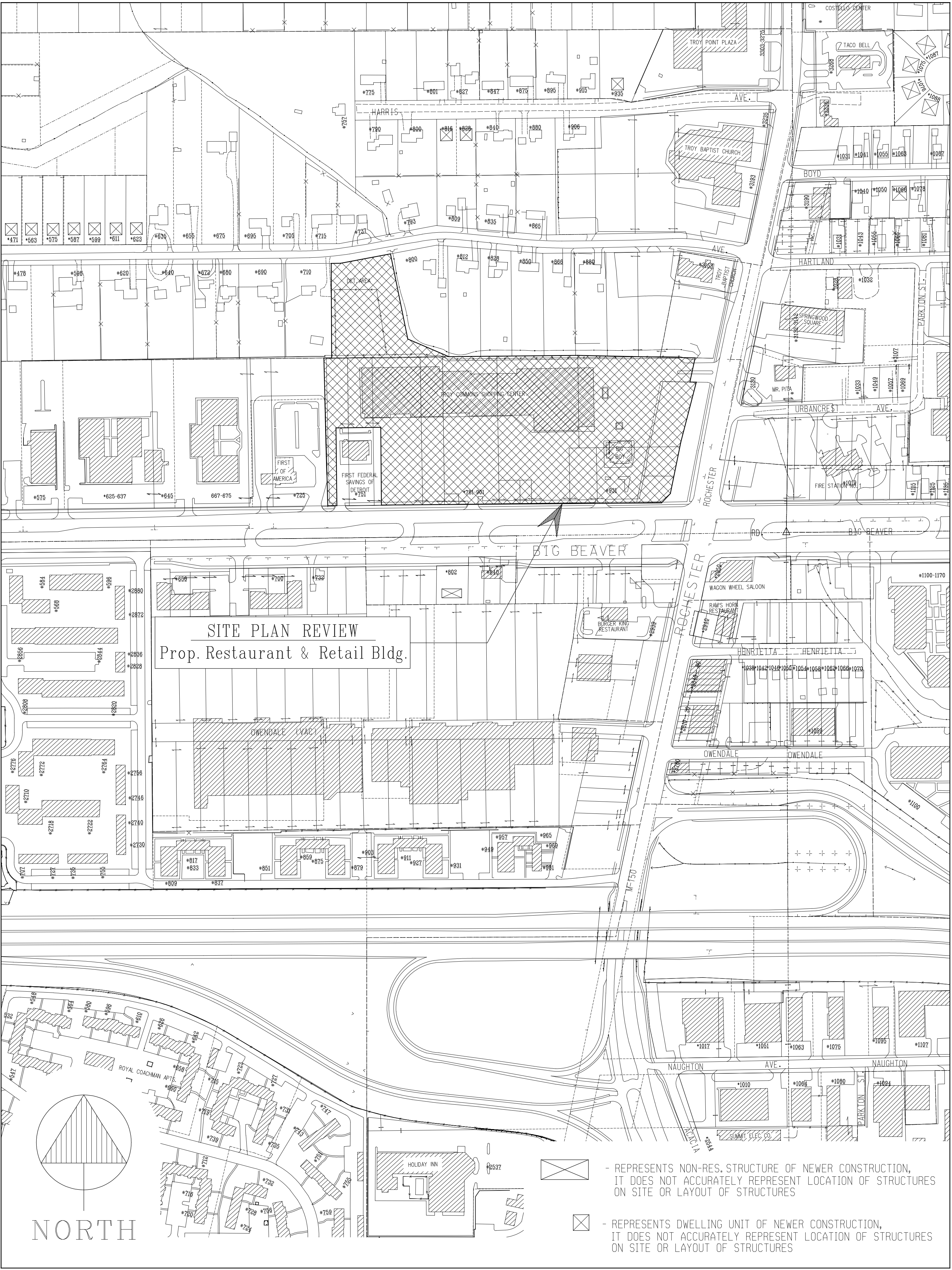
The Natural Features Map indicates there are no natural features located on the property.

cc: Applicant
File/ SP-146 C

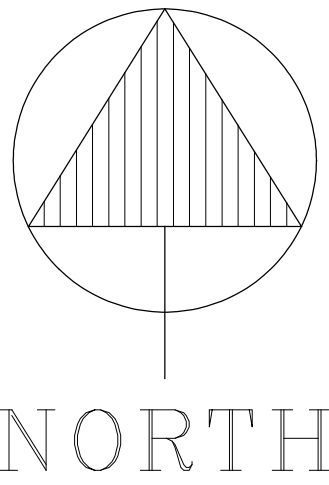
G:\SITE PLANS\SP 146 Troy Commons \Troy Commons \Announce City Council P.H. 9-22-03.doc

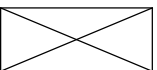

CITY OF TROY

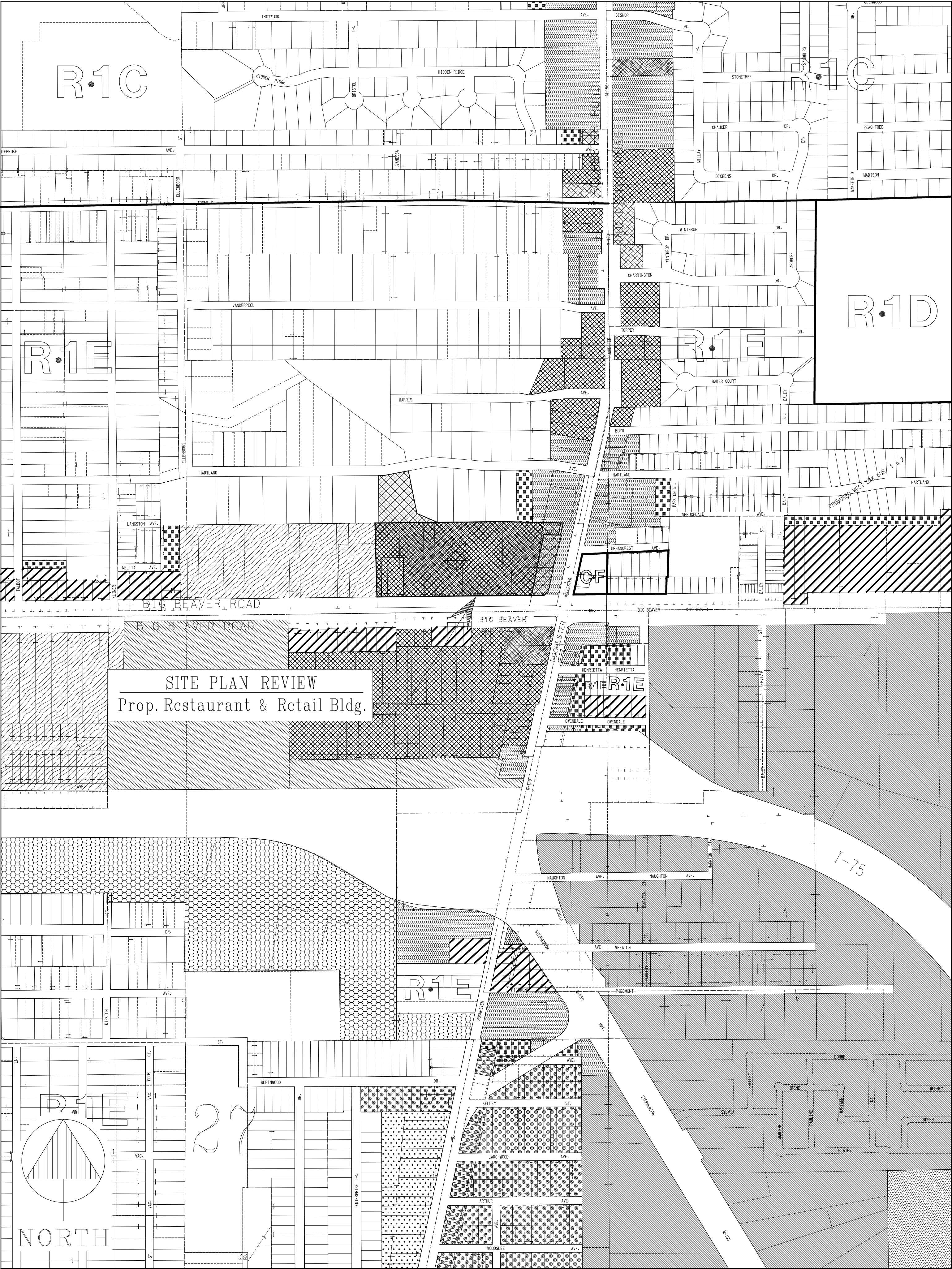




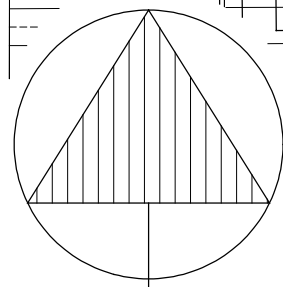
SITE PLAN REVIEW
Prop. Restaurant & Retail Bldg.



-  - REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES
-  - REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES



SITE PLAN REVIEW
Prop. Restaurant & Retail Bldg.



NORTH



SITE PLAN REVIEW
TROY COMMONS RETAIL CENTER
PROPOSED RESTAURANT & RETAIL BLDG.
NW CORNER BIG BEAVER & ROCHESTER
SEC. 22 B-2 / C-J (SP-146 C)

SITE PLAN REVIEW
PROPOSED RESTAURANT & RETAIL BLDG.

0 50 100 200 300 400 Feet



GENERAL SITE NOTES

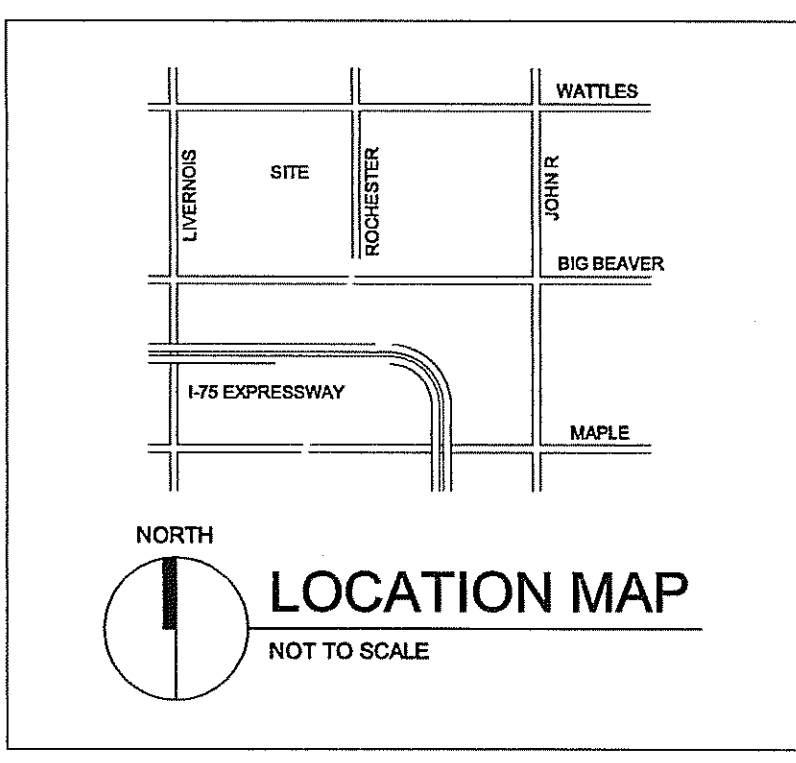
- WHERE INDICATED, PROVIDE 12"x18" "PHYSICALLY HANDICAPPED" PARKING SIGN WITH SILK SCREEN SYMBOL & LETTERING, EQUAL TO MODEL PH-P75 AS MANUFACTURED BY SUPERSINE CO., DETROIT MICHIGAN.
- "PHYSICALLY HANDICAPPED" AND FIRE SAFETY SIGNS SHALL BE MOUNTED ON 1 1/2" SQUARE GALVANIZED STEEL POST, WALL, OR FENCE AS INDICATED ON PLANS. LOCATE & INSTALL IN ACCORDANCE WITH APPLICABLE STANDARDS AND REGULATIONS.
- PARKING STALL STRIPES SHALL BE PAINTED BY PAVING CONTRACTOR. ALL SPACES SHALL BE DOUBLE STRIPED TO MEET CITY OF TROY REQUIREMENTS AND SHALL BE APPLIED IN ONE COAT USING A STANDARD STRIPING MACHINE. PAINT SHALL BE ROMARK #3 PARLON TRAFFIC PAINT OR EQUAL. COLOR: YELLOW.
- ALL NEW SITE LIGHTING SHALL BE SHIELDED DOWNWARD AND AWAY FROM ADJACENT PROPERTY.
- SITE IDENTIFICATION SIGNAGE SHALL CONFORM TO LATEST REQUIREMENTS OF CITY OF TROY ORDINANCE.
- ALL DRIVE AREAS MUST BE POSTED AS FIRE LANES WITH UNIFORM SIGNS IN KEEPING WITH THE STANDARDS ESTABLISHED IN THE MICHIGAN MANUAL OF TRAFFIC CONTROL DEVICES. SIGNS MUST BE ERECTED ON BOTH SIDES OF FIRE LANES WITH SPACING NOT TO EXCEED ONE-HUNDRED (100) FEET.
- PAINT HYDRANTS ACCORDING TO CITY OF TROY SPECIFICATIONS.
- EXTERIOR CURB RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
 - CURB RAMPS SHALL BE PROVIDED WHEREVER AN ACCESSIBLE ROUTE CROSSES A CURB.
 - MAXIMUM SLOPE SHALL BE 1:12. THE TRANSITION FROM WALKS, GUTTERS OR STREETS SHALL BE FLUSH.
 - THE MINIMUM WIDTH SHALL BE 36", EXCLUSIVE OF FLARES, UNLESS OTHERWISE NOTED ON PLANS.
 - CURB RAMPS SHALL HAVE A DETECTABLE WARNING CONSISTING OF RAISED TRUNCATED DOMES WITH A DIAMETER OF NOMINAL 0.9 IN., A HEIGHT OF NOMINAL 0.2 IN. AND A CENTER-TO-CENTER SPACING OF NOMINAL 2.35 IN. AND SHALL CONTRAST VISUALLY WITH ADJOINING SURFACES, EITHER LIGHT-ON-DARK, OR DARK-ON-LIGHT.
- REFER TO SHEET SP.102 AND SP.103 FOR SITE DETAILS.
- REFER TO SHEET LS.101 FOR LANDSCAPING.
- A DETECTABLE WARNING SHALL BE PROVIDED IN SIDEWALKS WHERE A WALK CROSSES OR ADJOINS A VEHICULAR WAY, AND THE WALKING SURFACES ARE NOT SEPARATED BY CURBS, RAILINGS OR OTHER ELEMENTS. THE BOUNDARY BETWEEN THE AREAS SHALL BE DEFINED BY A CONTINUOUS DETECTABLE WARNING WHICH IS 30" WIDE MINIMUM. THE DETECTABLE WARNING SHALL COMPLY WITH THE CRITERIA STATED ABOVE FOR CURB RAMPS.
- CALL MISS DIG 72 HOURS PRIOR TO CONSTRUCTION.
- ALL CONSTRUCTION AND MATERIALS SHALL CONFORM TO CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF TROY.
- NO SIGNS ARE APPROVED AS PART OF THIS SITE PLAN APPROVAL. PRIOR TO ERECTING A SIGN, AN APPLICATION AND APPROPRIATE SUBMISSIONS SHALL BE MADE TO THE BUILDING DEPARTMENT AND ALL RELEVANT PARTIES FOR REVIEW, APPROVAL AND ISSUANCE OF A SIGN PERMIT.
- ALL ENTRY DOORS TO TENANT SPACES SHALL BE FLUSH W/ SIDEWALK AND MEET BARRIER FREE REQUIREMENTS.
- FINAL LOCATION OF ALL FIRE LANES TO BE APPROVED BY THE CITY OF TROY FIRE DEPARTMENT.

NOTE:
PATCH AND REPAIR EXIST. PARKING SURFACE

NOTE:
UNLESS NOTED/SHOWN OTHERWISE, ALL "LARGE" CURB RADI TO BE 10'-0" AND ALL "SMALL" CURB RADI TO BE 2'-0"

NOTE:
UTILITY RELOCATION, DETENTION, AND FLOODPLAIN ENCROACHMENT ISSUES WILL BE RESOLVED AND DETAILED ON THE CIVIL ENGINEERING PLANS AND WILL BE SUBMITTED PRIOR TO FINAL SITE PLAN APPROVAL.

NOTE:
ALL DUMPSTERS (WITHIN THE ENTIRE SHOPPING CENTER) ARE TO BE RELOCATED AND SCREENED PER CITY TROY PLANNING DEPARTMENT REQUIREMENTS
- A MEETING WITH PROPERTY OWNER AND PLANNING DEPARTMENT WILL TAKE PLACE TO CLARIFY DUMPSTER LOCATIONS AND REQ. SCREENING



biddison | architecture + design
27750 Stansbury Blvd. Suite 100
Farmington Hills, MI 48334
t248.426.7700 f248.426.7710

Consultants

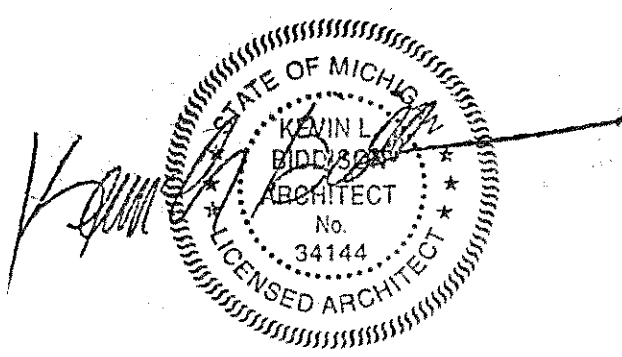
Project title

PROPOSED SITE ADDITION FOR:
**TROY COMMONS
RETAIL CENTER
PROPOSED OUT LOTS**

BIG BEAVER
TROY, MICHIGAN

Issued dr/ch

PRELIMINARY SITE PLAN APPROVAL 06.30.03 GG
REVISIONS PER CITY 09.03.03 BV
REVISIONS PER CITY 09.16.03 BV



Sheet title

**OVERALL
SITE PLAN**

REC'D

SEP 17 2003

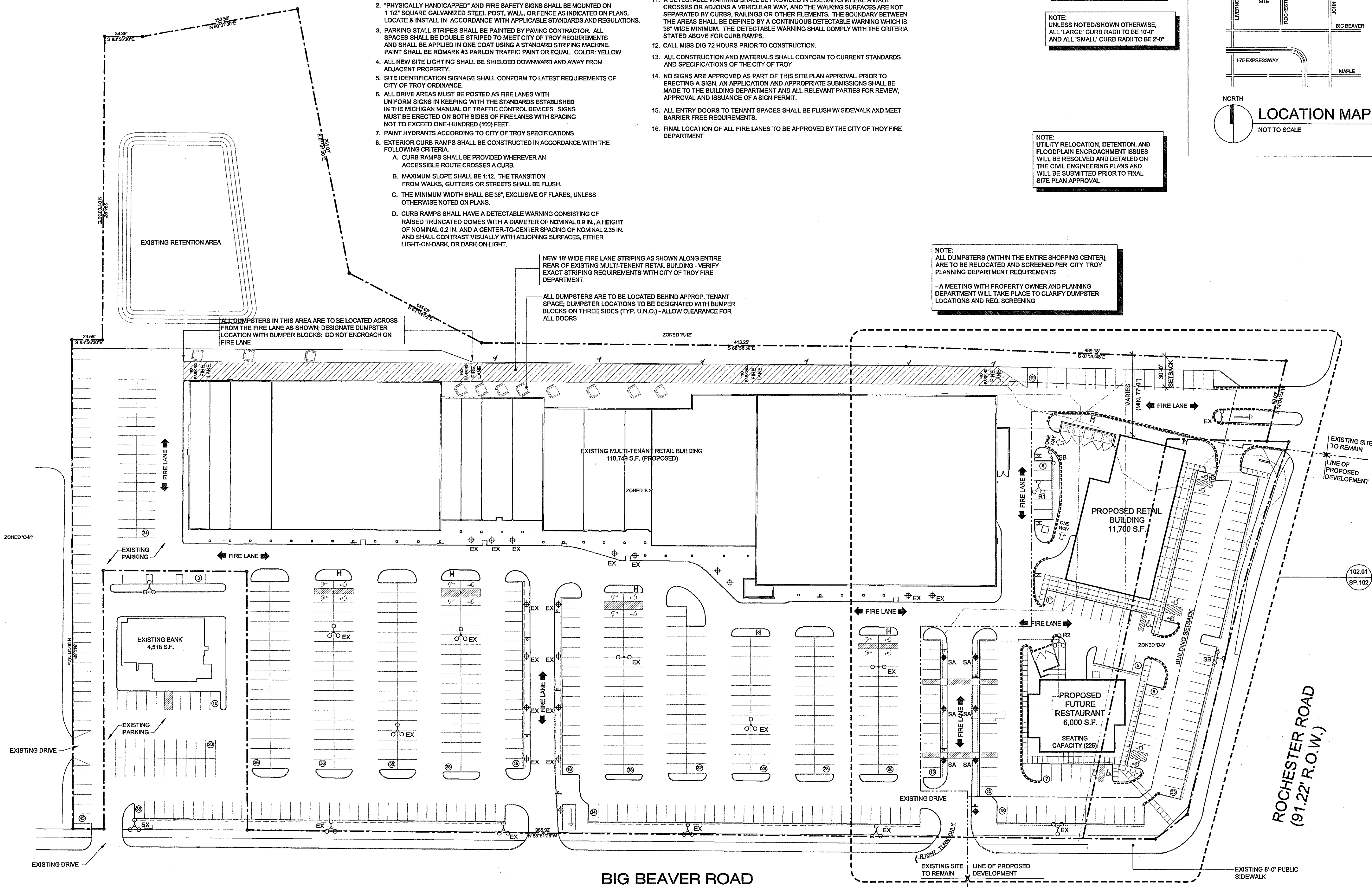
PLANNING DEPT.

Project no.

1310.03

Sheet no.

SP.101



BIG BEAVER ROAD

LIGHT FIXTURE SCHEDULE					
DESIGNATION	DESCRIPTION	MANUFACTURER	CATALOG NUMBER	LAMP	FINISH
SA	EXT. INDIRECT POLE MTD. (12'-0" POLE) LIGHT FIXTURE ON 2'-0" DIA. CONC BASE @ 24' A.F.G	SELUX (RITORNO)	RIT-1-12-H150-SV	ONE 150-WATT COATED METAL HALIDE, RATED 15000 INITIAL LUMENS	ALUMINUM
SB OR O-O	FIXTURES AND POLES TO MATCH EXISTING				NATURAL ALUMINUM
SD	WALL MOUNTED OUTDOOR SCONCE 20' A.F.G.	DIVERSIFIED (WALL ART)	WA2-D-150MH-SF	ONE 150-WATT METAL HALIDE LAMP	ALUMINUM
EX OR O-EX	EXISTING POLE MOUNTED AREA LIGHTING TO REMAIN U.N.O. - CLEAN AND REPAIR FIXTURE AS REQD. - PAINT (TYP.)				PAINT TO MATCH COLOR OF FIXTURES A
R1	EXISTING POLE MOUNTED AREA LIGHTING TO BE REMOVED AND RELOCATED				
R2 OR O-R2	RELOCATED (NEW) LOCATION OF EXISTING POLE MOUNTED AREA LIGHTING				

SITE INFORMATION

APPLICANT: STUART FRANKEL DEVELOPMENT COMPANY (OWNER)
3221 WEST BIG BEAVER
TROY, MICHIGAN 48064
248.649.2924

EXISTING ZONING: B-2 (LOW-RISE OFFICE DISTRICT)
B-3 (GENERAL BUSINESS DISTRICT)

USE: SINGLE-STORY RETAIL

SITE AREA: ACRES (GROSS)= 14.009 (610,174 S.F.)
PARCELS A AND B 13.20 (575,037 S.F.)
PARCELS C 0.807 (35,137 S.F.)

SET BACKS: FRONT (SOUTH) = 40' REQD.
FRONT (EAST) = 40' REQD.
SIDE (WEST) = 10' REQD.
REAR (NORTH) = 30' REQD.

SET BACK PROVIDED AT OUT LOTS
77'-0"
77'-0"
66'-0"
77'-0"

BUILDING AREA:
EXISTING: TROY COMMONS MALL 118,749 S.F.
FIRST FEDERAL OF MICHIGAN 4,518 S.F.

PROPOSED: RETAIL BUILDING: 11,700 S.F.
RESTAURANT: 6,000 S.F.
TOTAL 140,967 S.F.

PARKING REQUIRED: PER THE CONSENT JUDGEMENT A MINIMUM OF 625 PARKING SPACES ARE REQUIRED (INCLUDING PARKING FOR THE FIRST FEDERAL OF MICHIGAN)

PER MIB 2000, OF THOSE 625 SPACES, 13 SPACES (2% OF THE TOTAL) MUST BE BARRIER FREE ACCESSIBLE. 2 OF THE ACCESSIBLE SPACES MUST BE VAN ACCESSIBLE.

PARKING PROVIDED:
STANDARD PARKING: 647 SPACES
BARRIER FREE PARKING:
AUTO: 13 SPACES
VAN: 12 SPACES
TOTAL: 672 SPACES

OVERALL SITE PLAN
SCALE: 1"=50'

REFER TO ENLARGED SITE PLAN (SHEET SP.102) FOR ALL DETAILED PLAN NOTES AND DIMENSIONS

LEGAL DESCRIPTION:

(OVERALL PARCEL: PARCELS A AND B COMBINED)

Land in the City of Troy, Oakland County, Michigan, described as: Lot 37 Beaver Brook Subdivision, according to the Plat thereof as recorded in Liber 55, Page 46 of Plats, Oakland County Records and Lots 10 through lots 23 & 24, Supervisor's Plat No. 9, according to the Plat thereof as recorded in Liber 46, Page 41 of Plats Oakland County Records, except that portion taken for road Right-of-Way, being, more particularly described as follows: Commencing at the South 1/4 corner of Section 22, T.1N. R.11E.; thence South 88° 51' 28" East, 30.00 feet; thence North 00° 31' 16" East 102.00 feet to the Point of Beginning, thence North 00° 31' 16" East, 475.50 feet to the Northwest corner of Lot 10; thence South 88° 56' 30" East, 29.58 feet to the Southwest corner of Lot 37 Beaver Brook Subdivision; thence North 01° 03' 30" East, 204.92 feet to the Southerly Right-of-Way line of Hartland Avenue (60 foot wide); thence South 88° 56' 30" East, 36.38 feet along said Hartland Avenue Right-of-Way; thence North 80° 32' 00" East, 153.50 feet along said Hartland Avenue Right-of-Way; thence South 10° 31' 00" East, 261.67 feet; thence South 61° 44' 00" East, 145.09 feet; thence South 88° 56' 30" East, 413.25 feet; thence South 87° 20' 48" East, 369.20 feet to a point on the Westerly Right-of-Way line of Rochester Road (width varies); thence South 14° 04' 44" West, 80.40 feet along said Rochester Road Right-of-Way; thence South 87° 29' 09" East, 20.14 feet; thence 209.58 feet along an arc with a curve to the left (Radius 2088.12 feet; Central angle 05° 45' 02"; Chord length 208.49 feet; Chord bears. South 17° 13' 28" West; thence South 14° 11' 02" West, 166.64 feet; thence South 52° 39' 47" West, 39.14 feet to a point on the 102 foot wide Right-of-Way line of Big Beaver Road; thence North 88° 51' 28" West, 881.95 feet along said 102 foot Right-of-Way line; thence North 00° 31' 16" East, 251.00 feet; thence North 88° 51' 28" West, 140.00 feet; thence South 00° 31' 16" West, 251.00 feet to a point on said 102 foot wide Right-of-Way; thence North 88° 51' 28" West 30.00 feet along said 102 foot wide Right-of-Way, to the Point of Beginning.

Containing 575,037 square feet or 13.20 acres of land.

PROPOSED BUILDING RENOVATION FOR:
**TROY COMMONS
RETAIL CENTER**

BIG BEAVER RD.
TROY, MICHIGAN

Stuart Frankel
Development Co.

BIDS AND PERMITS 09.16.03

**SIGN ELEVATIONS
AND DETAILS**

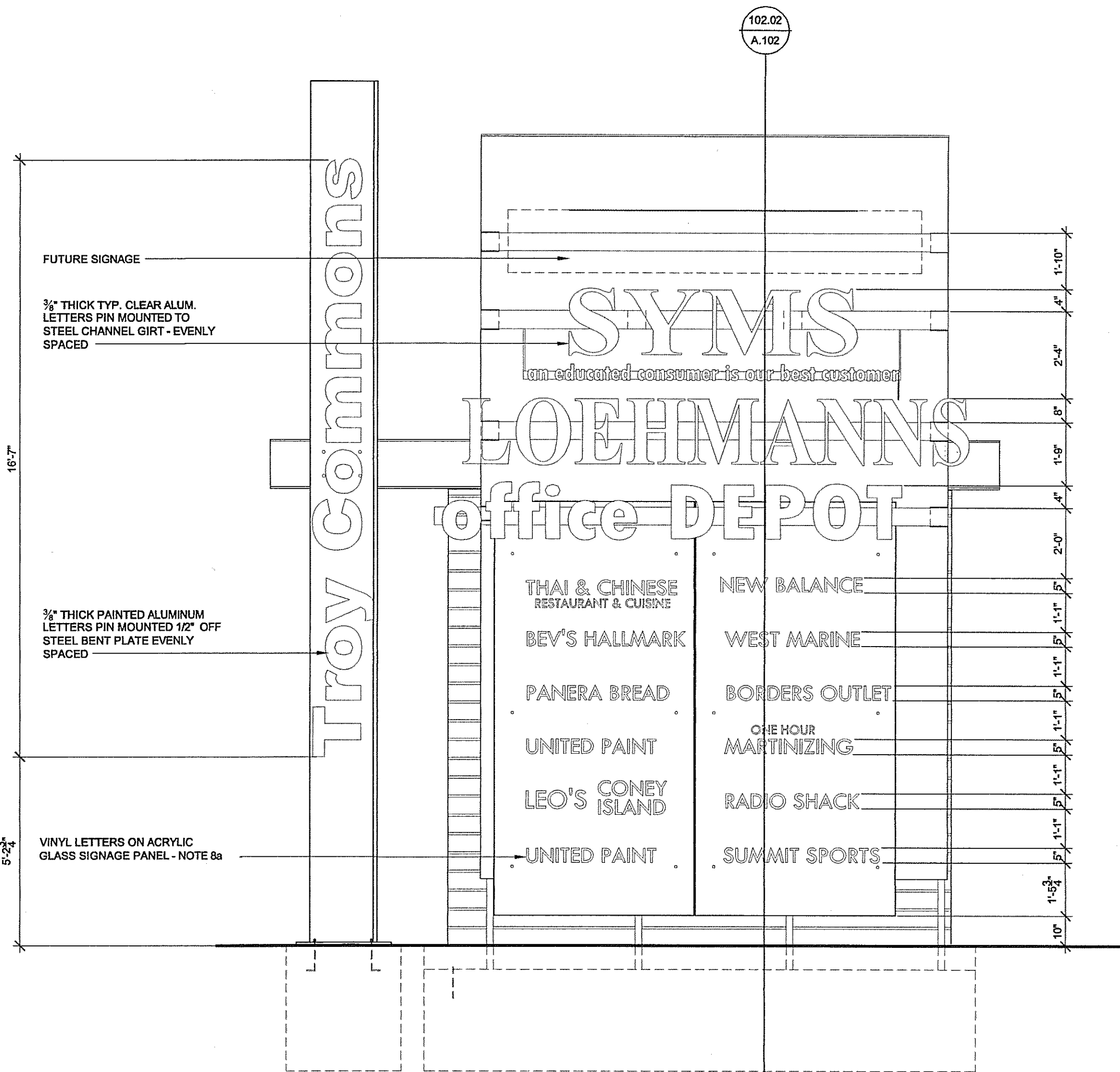
REC'D

SEP 17 2003

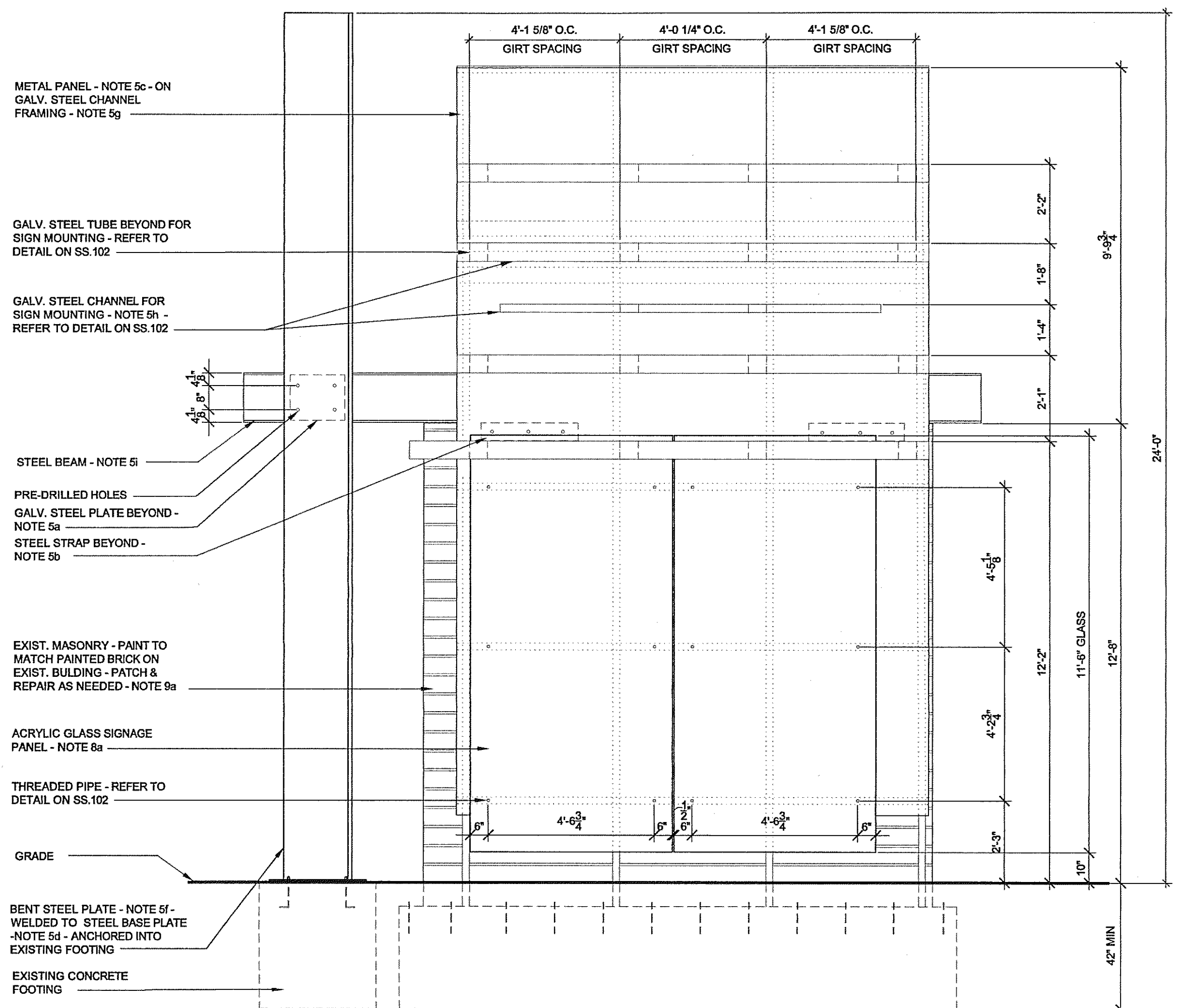
PLANNING DEPT.

1182-01

A.101



101.03 SIGN ELEVATION W/TEXT
A.101 SCALE: 3/8"=1'-0"



101.02 SIGN ELEVATION W/O TEXT
A.101 SCALE: 3/8"=1'-0"

CONSTRUCTION NOTE SCHEDULE

GENERAL NOTES

1. ALL MATERIALS TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS U.N.O.
2. REFER TO STRUCTURAL SHEETS FOR ALL STEEL AND REINF. SIZES.
3. ALL DETAILED SPECIFICATIONS MAY BE REPLACED BY 'EQUAL' PRODUCTS UPON APPROVAL BY ARCHITECT.
4. ALL WELDED CONNECTIONS AT GALV. STEEL TO BE DONE IN SHOP PRIOR TO GALVANIZING. ALL FIELD CONNECTIONS OF GALV. STEEL TO BE BOLTED CONNECTIONS. ALL EXPOSED GALV. STEEL TO HAVE NO MORE THAN 1" IN 20'-0" CUP OR WARP FINISH ON ALL EXPOSED GALV. STEEL TO BE INSPECTED PRIOR TO ERECTION BY OWNER & / OR ARCHITECT.

5 METALS

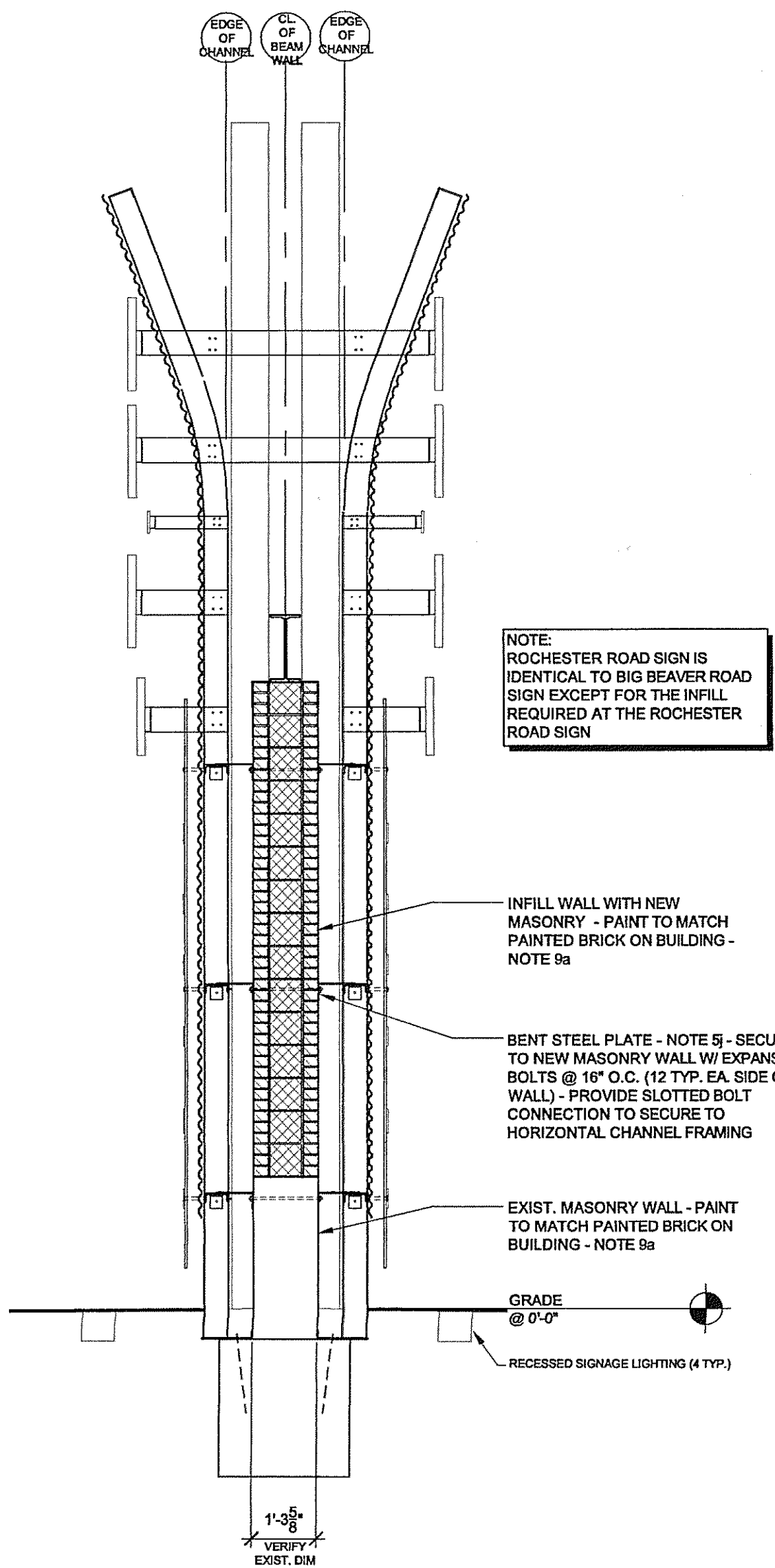
- | | |
|----|--|
| 5a | 1 3/8" x 1 1/2" x 1/4" GALV. STEEL PLATE W/ 4" DIA. PRE-DRILLED HOLES PRIOR TO GALVANIZING - WELDED TO WEB OF BEAM |
| 5b | U-SHAPED GALV. STEEL STRAP (VERIFY WIDTH OF WALL FOR 16" DIM. IN FIELD) W/ 3" PRE-DRILLED HOLES PRIOR TO GALVANIZING TO ANCHOR INTO MASONRY (REFER TO DETAILS ON SHEET A.102) - CONT. WELD TO BEAM ABOVE BEFORE GALVANIZING |
| 5c | METAL PANEL - CENTRIA 20 GA. 1/4" ECOLAP PERFORATED STAINLESS STEEL (304 2B FINISH) PANEL WITH 3/8" DIA. HOLES AND 40% FREE AREA OR ARCHITECT APPROVED EQUAL HORIZONTALLY HUNG WITH EXPOSED S.S. BUTTON HEAD FASTENERS @ 16" O.C. ON GALV. STEEL CHANNEL FRAME - REFER TO DETAILS FOR CHANNEL FRAME SPACING AND ADDITIONAL NOTES |
| 5d | 32"x32"x1/4" GALV. STEEL BASE PLATE W/ (4) 3/8" Ø PRE-DRILLED HOLES PRIOR TO GALVANIZING - WELDED TO GALV. STEEL BENT PLATES PRIOR TO GALVANIZING |
| 5e | 12"x2"x1/4" GALV. BENT STEEL PLATE W/ 3/8" Ø PRE-DRILLED HOLES EVERY 16" O.C. PRIOR TO GALVANIZING - WELDED TO VERT. GALV. SHEET CHANNEL FRAMING PRIOR TO GALVANIZING - ANCHOR INTO CONC. FOOTING @ 16" O.C. |
| 5f | 22"x10"x3/8" GALV. BENT STEEL PLATE W/ PRE-DRILLED HOLES PRIOR TO GALVANIZING (REFER TO DETAIL 102.04 ON SHEET A.102) - WELDED TO GALV. STL. BASE PLATE BELOW |
| 5g | C6x13 GALV. STEEL CHANNEL FRAMING - REFER TO DETAILS ON SHEETS A.101, A.102 FOR LOCATIONS AND CONNECTION DETAILS |
| 5h | C6x13 GALV. STEEL CHANNEL FOR SIGN MOUNTING AT LARGE LETTERS, C3x6 GALV. STEEL CHANNEL AT SMALL LETTERS - REFER TO ENLARGED DETAIL ON SHEET A.102 |
| 5i | W16x57 GALV. STEEL BEAM |
| 5j | 10"x4"x1/2" GALV. BENT STEEL PLATE W/ PRE-DRILLED HOLES PRIOR TO GALVANIZING & A SLOTTED BOLT CONNECTION (REFER TO SHEET A.102) - BOLTED INTO MASONRY AND VERTICAL CHANNEL FRAMING |

8 GLASS

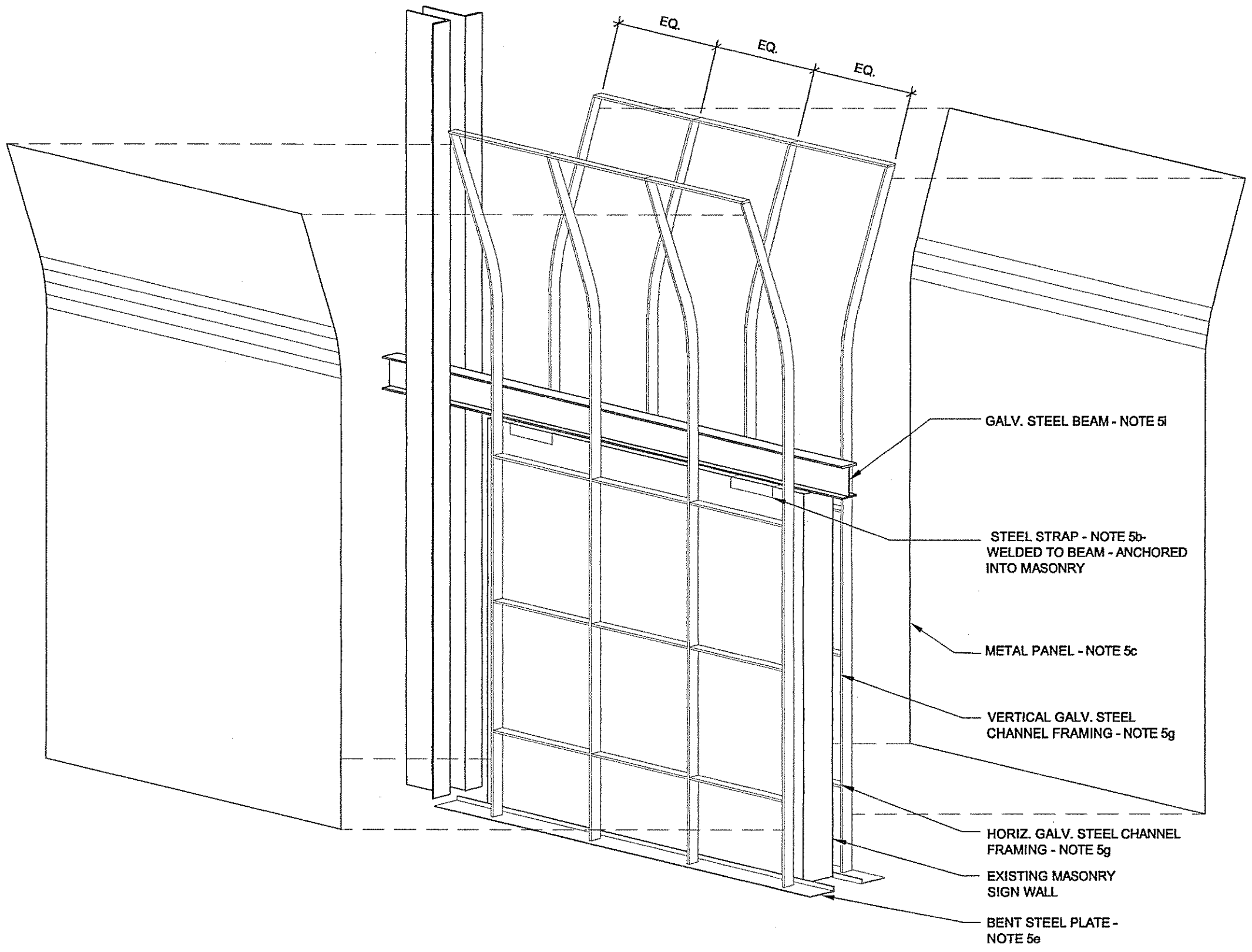
- | | |
|----|---|
| 8a | 3" TRANSLUCENT ACRYLIC W/ SOLID ETCH SIGNAGE PANEL W/ 3" PRE-DRILLED HOLES - MOUNTED W/ 6 THREADED RODS W/ BOLTS PER PIECE - PROVIDE BID ALTERNATE FOR GLASS PANEL IN LIEU OF ACRYLIC |
|----|---|

9 FINISHES

- | | |
|----|---|
| 9a | PAINT EXIST. MASONRY WALL W/ MOORGARD EXTERIOR ENAMEL PAINT ON ALL PURPOSE ALKYO PRIMER BY BENJAMIN MOORE - PREP SURFACE & PROVIDE MASONRY FILLER AS REQUIRED & PER MANUFACTURERS SPECIFICATIONS - PAINT COLOR TO BE COVENTRY GRAY # HC-169 BY BENJAMIN MOORE |
|----|---|



101.04 SIGN SECTION (ROCHESTER ROAD)
A.101 SCALE: 3/8"=1'-0"



101.01 ENLARGED STEEL AXON
A.101 SCALE: NTS

NOTE:
SIGNAGE LIGHTING TO BE HYDREL M9000 SERIES, OR BRONZELITE GMA6000 SERIES OR EQUAL

NOTE:
REFER TO SHEET A.102 FOR ADDITIONAL DIMENSIONS AND NOTES

NOTE:
ALL WELDS TO BE CONTINUOUS UNLESS OTHERWISE NOTED.
WELD ALL COMPONENTS PRIOR TO GALVANIZING. BOLT ALL OTHER CONNECTIONS

SIGN MEASUREMENTS:
GROSS SIGN AREA: (2 SIDES) 864 SQ. FT.
LETTERING AREA: (2 SIDES) 388 SQ. FT.
TOTAL HEIGHT: 24'-0"
TOTAL WIDTH: 18'-0"

SIGN LETTER NOTES:

1. LETTERS FOR 'TROY COMMONS' TO BE 3/4" THICK x 16" TALL SWISS 721 BLK BT TYPEFACE EVENLY SPACED ALUMINUM W/ PAINTED BLACK FINISH. PIN MOUNTED 1/2" OFF STEEL FACE
 2. SYMS & LOEHMANN'S LETTERS TO BE 3/4" THICK x 1'-10" TALL TIMES NEW ROMAN MT EXTRA BOLD TYPEFACE EVENLY SPACED W/ CLEAR ALUMINUM FINISH
 3. OFFICE DEPOT LETTERS TO BE 3/4" THICK x 1'-5" TALL SWISS 721 BLK BT TYPEFACE W/ CLEAR ALUMINUM FINISH
 4. GUNMETAL GRAY VINYL LETTERS ON GLASS PANEL TO BE 5" TALL SWISS 721 SWA TYPEFACE EVENLY SPACED
- SIGNAGE/LETTERS TO BE PLACED ON BOTH SIDES OF SIGN

CONSTRUCTION NOTE SCHEDULE	
GENERAL NOTES	
1. ALL MATERIALS TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS U.N.O.	
2. REFER TO STRUCTURAL SHEETS FOR ALL STEEL AND REINF. SIZES.	
4. ALL DETAILED SPECIFICATIONS MAY BE REPLACED BY 'EQUAL' PRODUCTS UPON APPROVAL BY ARCHITECT.	
5. ALL WELDED CONNECTIONS AT GALV. STEEL TO BE DONE IN SHOP PRIOR TO GALVANIZING. ALL FIELD CONNECTIONS OF GALV. STEEL TO BE BOLTED CONNECTIONS. ALL EXPOSED GALV. STEEL TO HAVE NO MORE THAN 1" IN 20'-0" CUP OR WARP. FINISH ON ALL EXPOSED GALV. STEEL TO BE INSPECTED PRIOR TO ERECTION BY OWNER & / OR ARCHITECT.	
5 METALS	
5a	15"x15"x3/8" GALV. STEEL PLATE W/ 4" DIA. PRE-DRILLED HOLES PRIOR TO GALVANIZING - WELDED TO WEB OF BEAM
5b	U-SHAPED GALV. STEEL STRAP (VERIFY WIDTH OF WALL FOR 16" DIM. IN FIELD) W/ 3/8" PRE-DRILLED HOLES PRIOR TO GALVANIZING TO ANCHOR INTO MASONRY (REFER TO DETAILS ON SHEET A.102) - CONT. WELD TO BEAM ABOVE BEFORE GALVANIZING
5c	METAL PANEL - CENTRIA 20 GA. 3/8" ECONOLAP PERFORATED" STAINLESS STEEL (304 2B FINISH) PANEL WITH 3/8" DIA. HOLES AND 40% FREE AREA OR ARCHITECT APPROVED EQUAL HORIZONTALLY HUNG WITH EXPOSED S.S. BUTTON HEAD FASTENERS @ 16" O.C. ON GALV. STEEL CHANNEL FRAME - REFER TO DETAILS FOR CHANNEL FRAME SPACING AND ADDITIONAL NOTES
5d	32"x32"x1/4" GALV. STEEL BASE PLATE W/ (4) 3/8" Ø PRE-DRILLED HOLES PRIOR TO GALVANIZING - WELDED TO GALV. STEEL BENT PLATES PRIOR TO GALVANIZING
5e	12"x22"x3/8" GALV. BENT STEEL PLATE W/ 3/8" Ø PRE-DRILLED HOLES EVERY 16" O.C. PRIOR TO GALVANIZING - WELDED TO VERT. GALV. SHEET CHANNEL FRAMING PRIOR TO GALVANIZING - ANCHOR INTO CONC. FOOTING @ 16" O.C.
5f	22"x10"x3/8" GALV. BENT STEEL PLATE W/ PRE-DRILLED HOLES PRIOR TO GALVANIZING (REFER TO DETAIL 102.04 ON SHEET A.102) - WELDED TO GALV. STL. BASE PLATE BELOW
5g	6"x13" GALV. STEEL CHANNEL FRAMING - REFER TO DETAILS ON SHEETS A.101, A.102 FOR LOCATIONS AND CONNECTION DETAILS
5h	6"x13" GALV. STEEL CHANNEL FOR SIGN MOUNTING AT LARGE LETTERS, 3"x6" GALV. STEEL CHANNEL AT SMALL LETTERS - REFER TO ENLARGED DETAIL ON SHEET A.102
5i	W16x57 GALV. STEEL BEAM
5j	10"x4"x3/8" GALV. BENT STEEL PLATE W/ PRE-DRILLED HOLES PRIOR TO GALVANIZING & A SLOTTED BOLT CONNECTION (REFER TO SHEET A.102) - BOLTED INTO MASONRY AND VERTICAL CHANNEL FRAMING
8 GLASS	
8a	3" TRANSLUCENT ACRYLIC W/ SOLID ETCH SIGNAGE PANEL W/ 3/8" PRE-DRILLED HOLES - MOUNTED W/ 6 THREADED RODS W/ BOLTS PER PIECE - PROVIDE BD. ALTERNATE FOR GLASS PANEL IN LIEU OF ACRYLIC
9 FINISHES	
9a	PAINT EXIST. MASONRY WALL W/ MOORGARD EXTERIOR ENAMEL PAINT ON ALL-PURPOSE ALKYD PRIMER BY BENJAMIN MOORE - PREP SURFACE & PROVIDE MASONRY FILLER AS REQUIRED & PER MANUFACTURER'S SPECIFICATIONS - PAINT COLOR TO BE COVENTRY GRAY # HC-169 BY BENJAMIN MOORE

SIGN MEASUREMENTS:	
GROSS SIGN AREA: (2 SIDES)	864 SQ. FT.
LETTERING AREA: (2 SIDES)	386 SQ. FT.
TOTAL HEIGHT:	24'-0"
TOTAL WIDTH:	18'-0"

- SIGN LETTER NOTES:**
- LETTERS FOR 'TROY COMMONS' TO BE 3/8" THICK x 16" TALL SWISS 721 BLK BT TYPEFACE EVENLY SPACED ALUMINUM W/ PAINTED BENJAMIN MOORE, BLACK IRON #2120-20 - PIN MOUNTED 1/2" OFF STEEL FACE
 - SYMS & LOEHMANS LETTERS TO BE 3/8" THICK x 1'-10" TALL TIMES NEW ROMAN MT EXTRA BOLD TYPEFACE EVENLY SPACED W/ CLEAR ALUMINUM FINISH
 - OFFICE DEPOT LETTERS TO BE 3/16" THICK x 1'-5" TALL SWISS 721 BLK BT TYPEFACE W/ CLEAR ALUMINUM FINISH
 - "GUNMETAL GRAY" VINYL LETTERS - ON GLASS PANEL TO BE 5" TALL SWISS 721 SWA TYPEFACE EVENLY SPACED - COLOR TO MATCH BENJAMIN MOORE, WROUGHT IRON #2140-10
- SIGNAGE LETTERS TO BE PLACED ON BOTH SIDES OF SIGN

NOTE:
ALL WELDS TO BE CONTINUOUS UNLESS OTHERWISE NOTED.
WELD ALL COMPONENTS PRIOR TO GALVANIZING. BOLT ALL OTHER CONNECTIONS

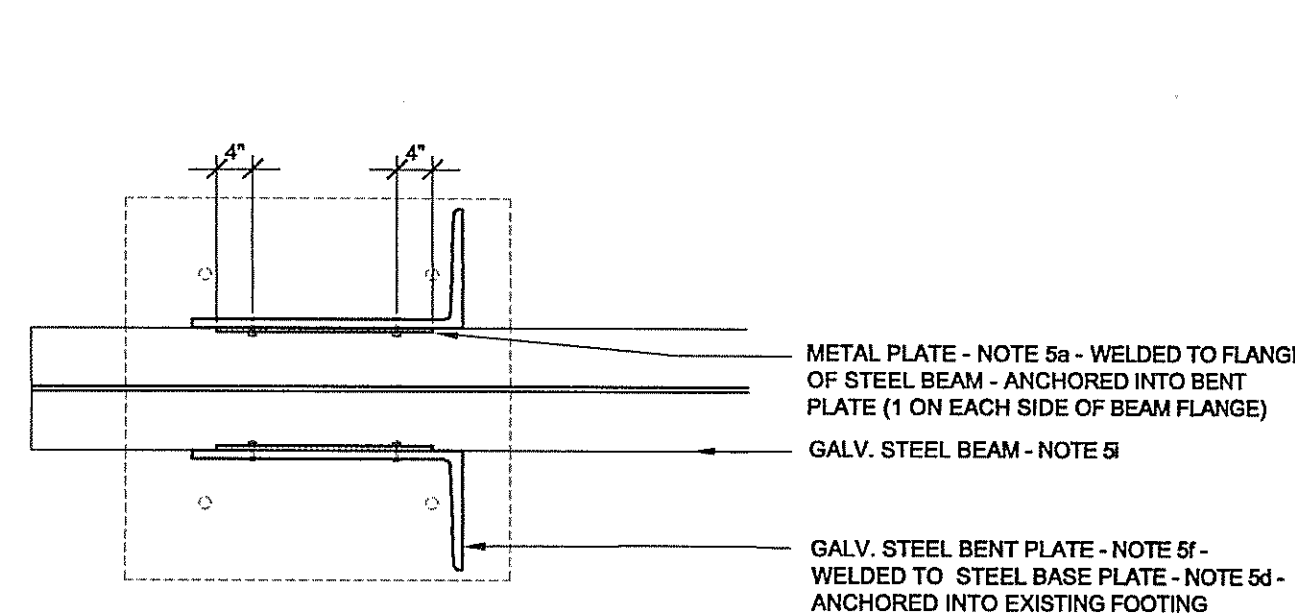
NOTE:
REFER TO SHEET A.101 FOR ADDITIONAL DIMENSIONS AND NOTES

NOTE:
SIGNAGE LIGHTING TO BE HYDREL M9000 SERIES, OR BRONZELITE GMA5000 SERIES OR EQUAL

ACRYLIC GLASS SIGNAGE PANEL - NOTE 8a
3/4" Ø THREADED PIPE CONNECTION INTO GLASS SIGNAGE PANEL - BOLTED INTO HORIZ. CHANNEL FRAMING - NOTE 5g

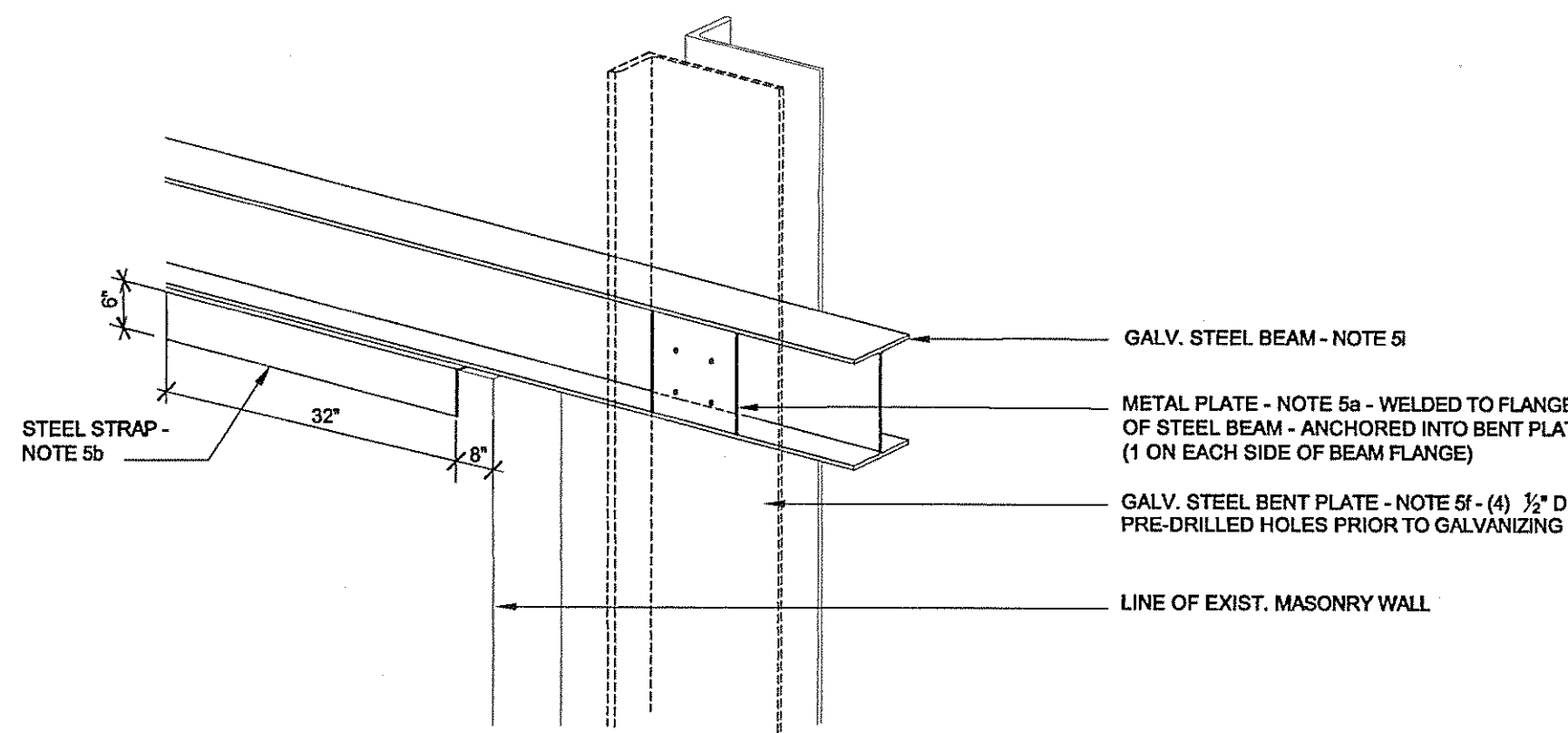
EXIST. MASONRY - PAINT BRICK TO MATCH PAINTED BRICK ON BUILDING - PATCH & REPAIR AS NEEDED - NOTE 9a

VERT. GALV. STEEL CHANNEL FRAMING - NOTE 5g - WELDED TO METAL BENT PLATE BELOW GRADE - NOTE 5e - ANCHORED INTO FOUNDATION
METAL PANEL - NOTE 5c - ON GALV. STEEL CHANNEL FRAMING - NOTE 5f
RECESSED SIGNAGE LIGHTING (4 TYP.)



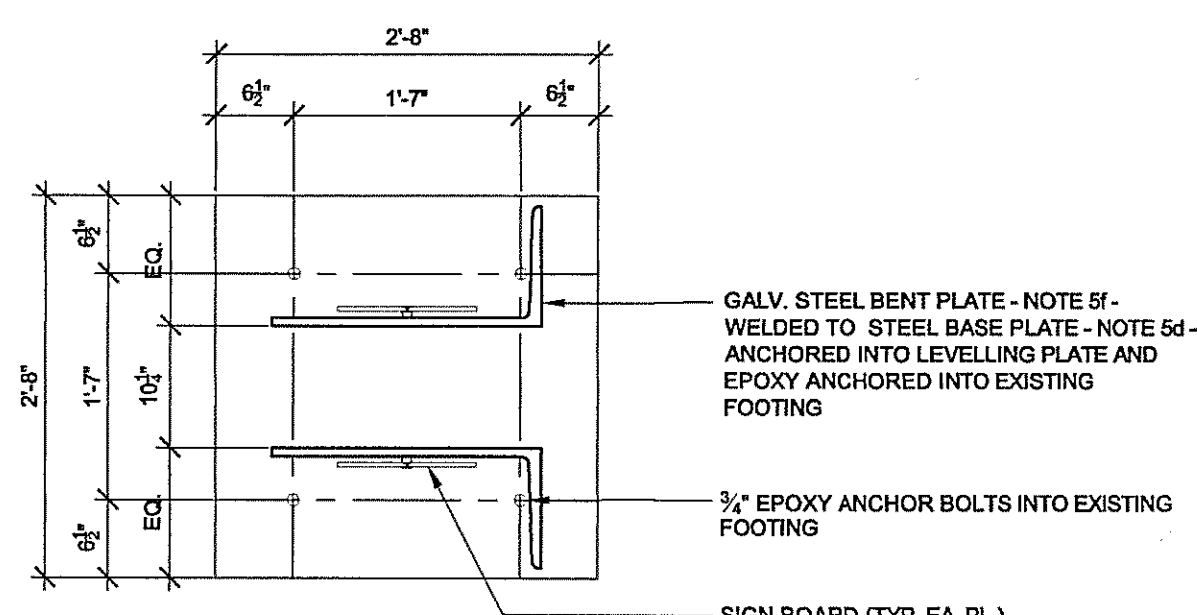
**BENT PLATE/ BEAM
CONNECTION DETAIL**

102.04
A.102
SCALE: 3/4"=1'-0"



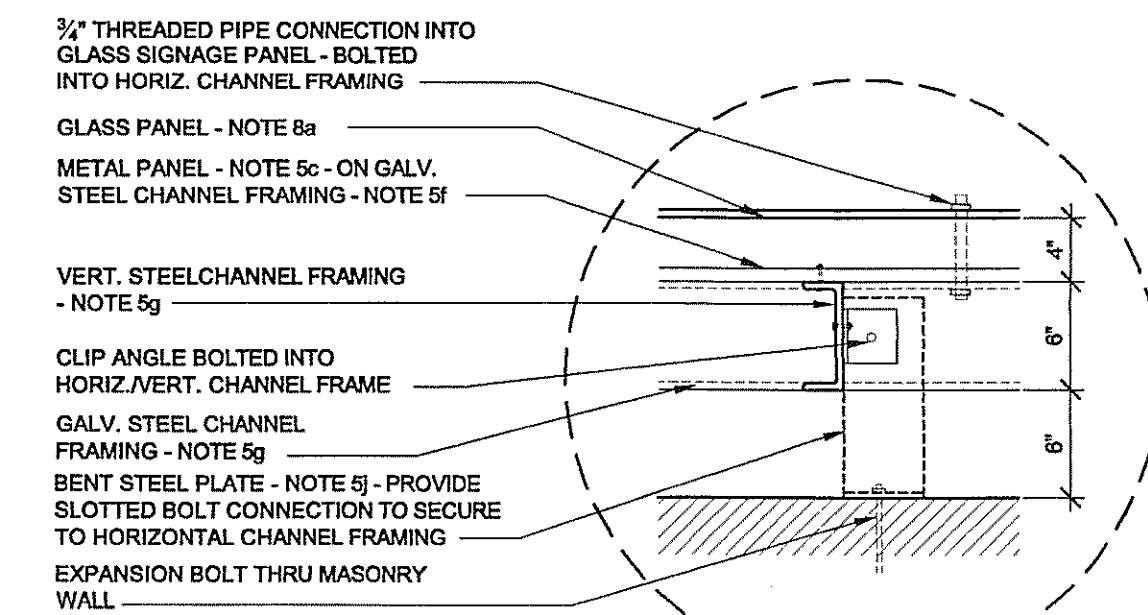
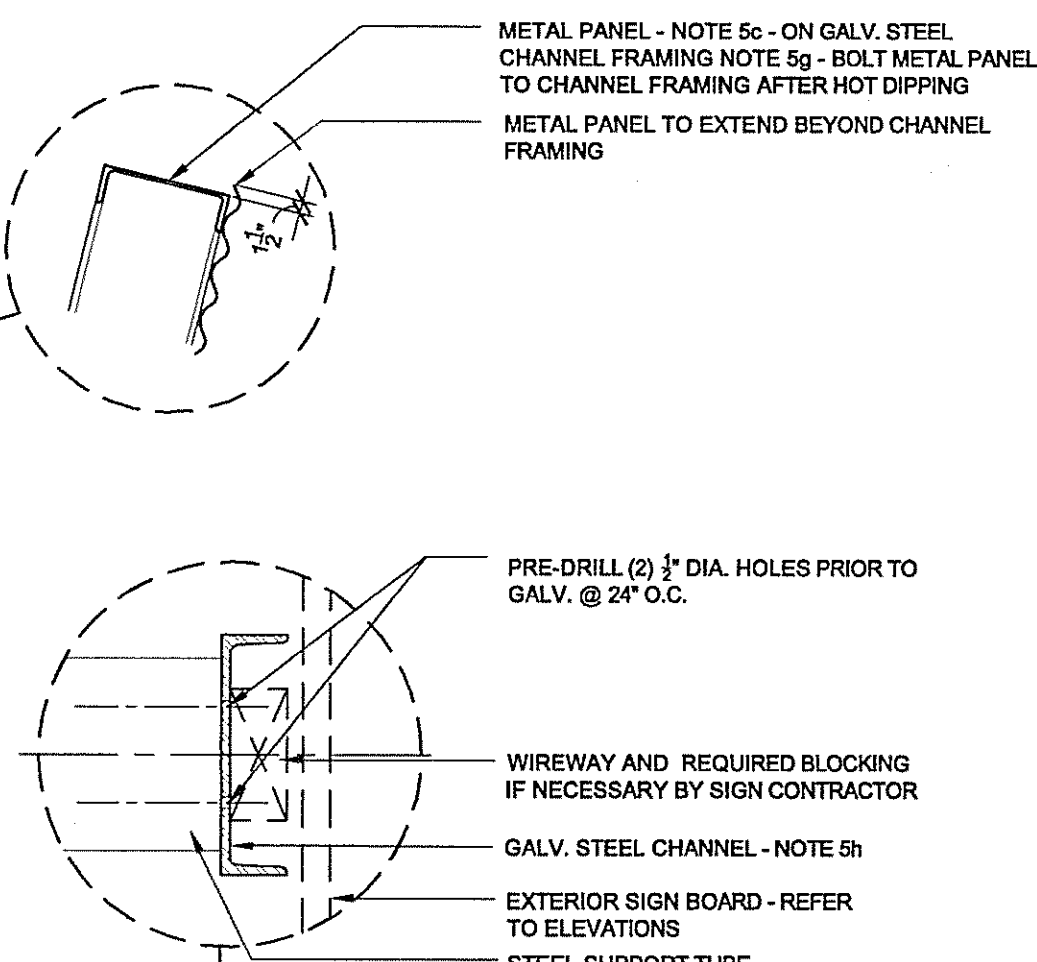
**BENT PLATE/ BEAM
CONNECTION DETAIL**

102.03
A.102
SCALE: NTS



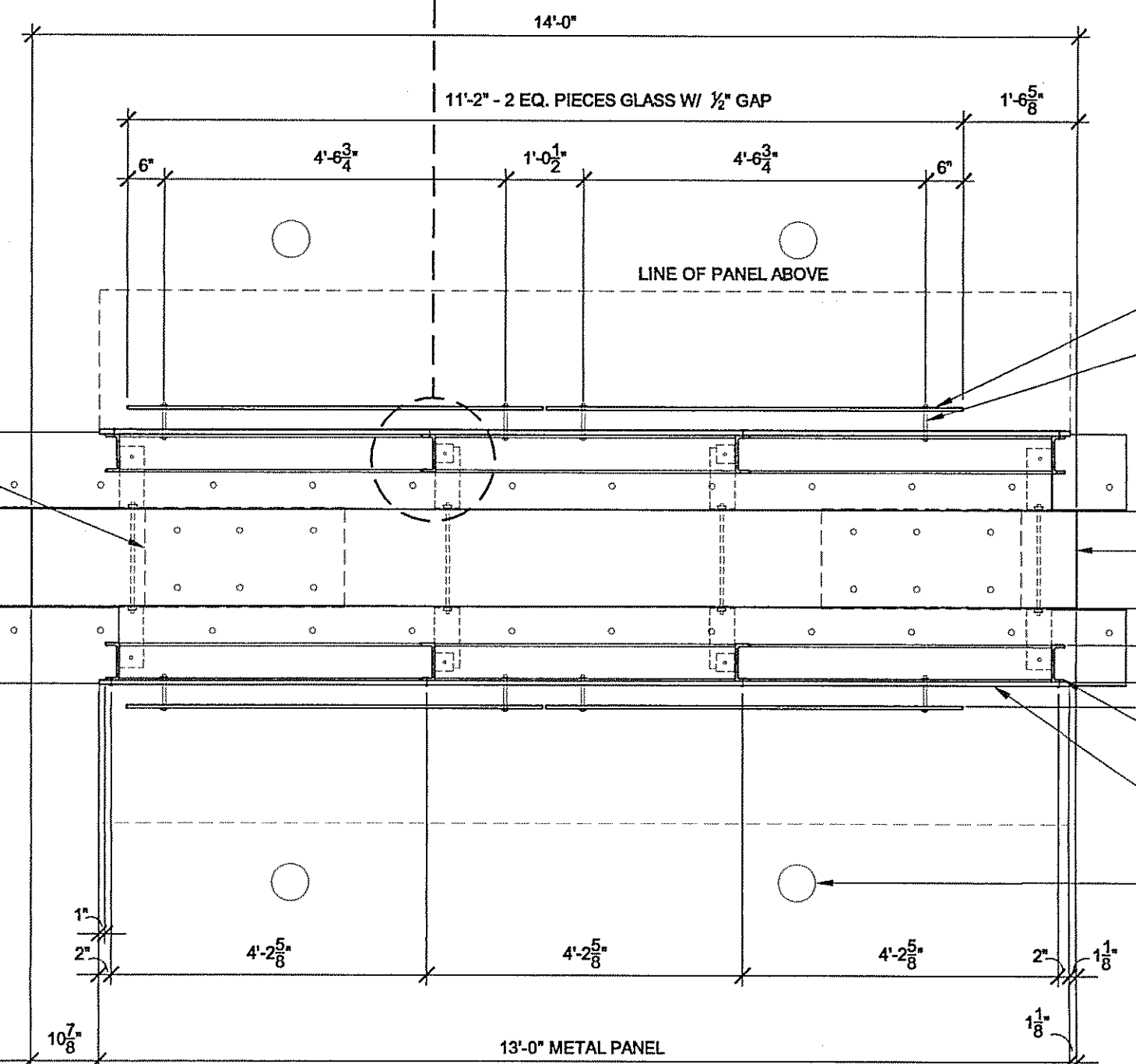
**BENT PLATE/
BASE PLATE DETAIL**

102.05
A.102
SCALE: 3/4"=1'-0"



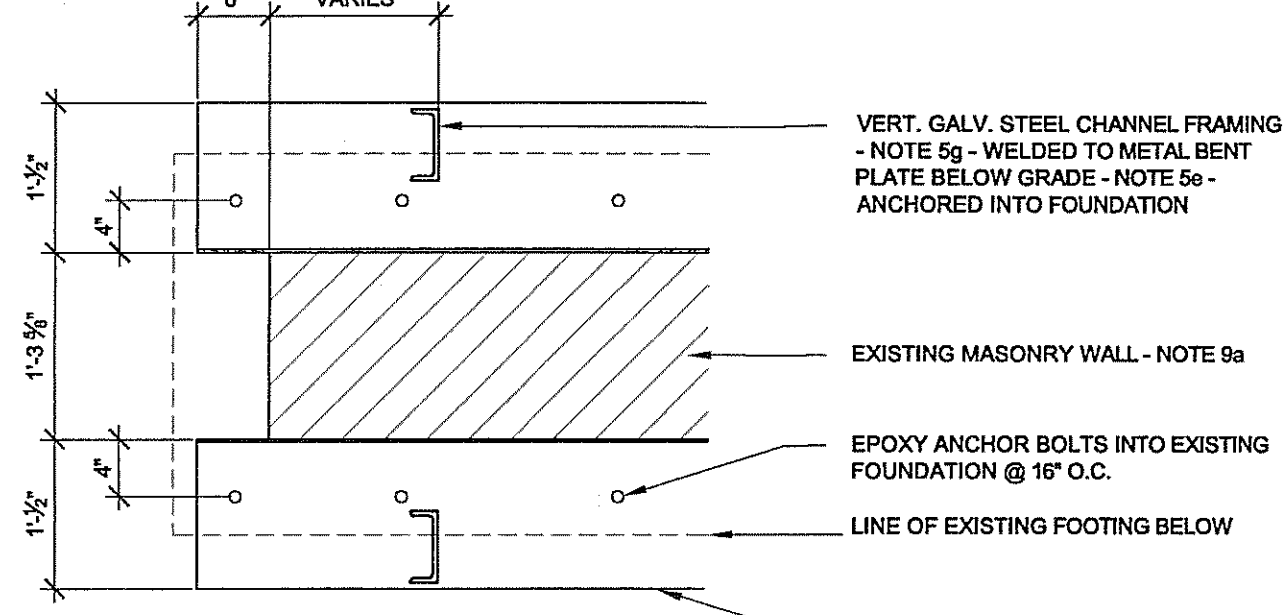
STEEL STRAP OVER WIDTH OF WALL @ TOP OF WALL ABOVE - NOTE 5b - ANCHORED INTO MASONRY W/ 3/8" ANCHOR BOLTS (6 TYP. ON TOP, 3 TYP. PER SIDE)

STEEL BASE PLATE - NOTE 5d AND LEVELING PLATE BELOW
BENT STEEL PLATE - NOTE 5f



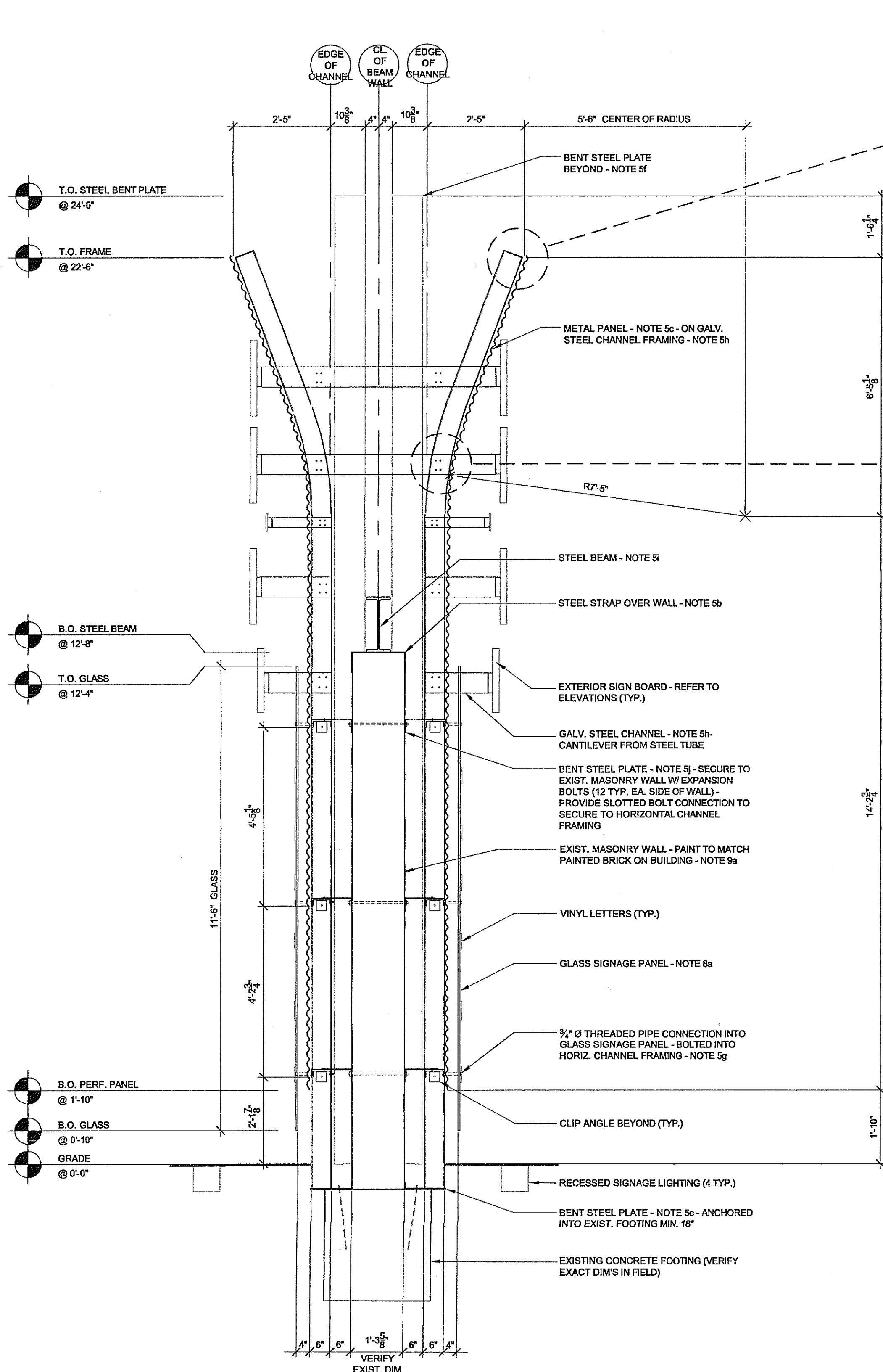
SIGN PLAN DETAIL

102.01
A.102
SCALE: 1/2"=1'-0"



**STEEL CHANNEL/
BENT PLATE DETAIL**

102.06
A.102
SCALE: 3/4"=1'-0"



SIGN SECTION (BIG BEAVER RD.)

102.02
A.102
SCALE: 1/2"=1'-0"

5. PUBLIC HEARING SITE PLAN REVIEW (SP 146-C) – Troy Commons Retail Center, Proposed Restaurant and Retail Building, Northwest Corner of Rochester and Big Beaver, Section 22 – B-2 and B-3 (Consent Judgment)

Ms. Lancaster reported that City Council has final approval on the Consent Judgment matter, and that a majority vote of the members present is necessary as a recommending body to City Council.

Mr. Savidant presented a summary of the Planning Department report for the proposed restaurant and retail building at Troy Commons. Mr. Savidant reported that it is the recommendation of the Planning Department that the Consent Judgment be amended to accommodate the proposed development and the site plan as submitted, with the condition that a 5-foot wide sidewalk connection be provided to the restaurant from the Big Beaver/Rochester Road intersection.

(Mr. Waller arrived at 7:46 p.m.)

There was a lengthy discussion with respect to the number of proposed parking spaces for the restaurant and overall retail center.

Mr. Savidant assured the Commission that both the petitioner and the Planning Department agree that the proposed 672 parking spaces would provide sufficient parking for the restaurant and retail center.

Discussion followed with respect to the southbound Rochester Road entrance into the retail center and the immediate traffic island within the parking lot as shown on the site plan.

Mr. Savidant confirmed that the City Traffic Engineer expressed no concerns with the parking lot layout. Mr. Savidant also confirmed that the petitioner would be advised that a grease dumpster and a trash dumpster are required.

The petitioner, Stuart Frankel of 2301 West Big Beaver, Troy, was present. Mr. Frankel gave a brief history of the Consent Judgment. When the City acquired the right-of-way for the widening of Big Beaver and Rochester Roads, an agreement was made that the maximum square footage of the shopping center (before the acquisition of the City remnant property to the east) would be 140,000 square feet and the number of parking spaces would be 625. Mr. Frankel is proposing to add one acre of additional land and 900 square feet of additional building. Mr. Frankel believes the proposal is a fair relationship of building to land when one considers the 140,000 square feet to the 13 acres of the original size parcel. Mr. Frankel said that based upon studies done by the City, ULI and other professionals, it was believed that a ratio of 5.5 cars per 1,000 square feet of retail space would provide adequate parking. He noted that history has shown that utilization of a parking lot on a good day is two-thirds and approximately one-third on a bad day. Mr. Frankel noted parking concerns could arise if employees

utilize customer parking spaces. He compared the existing restaurant to the proposed restaurant with respect to parking spaces and restaurant hours of operation. Mr. Frankel said that he, the City and the proposed tenants are comfortable with the function of the development and the adequacy of the parking.

Mr. Frankel stated the proposed restaurant tenant would not be considered a social encounter restaurant. The restaurant is principally a food and beverage restaurant, and alcoholic beverages would be ancillary. The hours of operation are 11 a.m. to 10 p.m.

Mr. Kramer said his concerns with respect to the amount of parking spaces remain, and noted it appears that half of the restaurant patrons would have to walk from another area of the parking lot to the restaurant should the restaurant be busy.

Messrs. Strat and Storrs further questioned the length of the traffic island located in the immediate entrance of the retail center from the southbound Rochester Road entrance.

Mr. Savidant suggested that the City Traffic Engineer revisit the site plan with respect to the traffic island layout.

Mr. Frankel said he would be agreeable to any changes recommended by the City Traffic Engineer. Mr. Frankel further said he is agreeable to providing the additional 5-foot wide sidewalk at the Big Beaver and Rochester Road intersection as suggested by the Planning Department. In addition, Mr. Frankel said the designated dumpster location is large enough to accommodate both trash and grease receptacles. Mr. Frankel stated he is following the City's direction with respect to the landscaping requirements for the proposed development.

The Commission encouraged the petitioner to provide landscaping that would complement the future City gateway signage at this most prominent intersection.

PUBLIC HEARING OPENED

Dennis Brinker of 2940-2950 Rochester Road, Troy, was present. Mr. Brinker expressed his concerns with the proposed reduction in parking spaces. He stated that the retail corner maintains a very heavy lunch count and a very heavy single-user count, and noted the approximate 30% reduction in parking could create a very big problem.

PUBLIC HEARING CLOSED

Chairman Littman responded that both parties must come to an agreement with respect to a Consent Judgment.

Mr. Storrs voiced agreement with Mr. Kramer's parking concerns and noted the site plan does not provide an optimum parking layout.

Resolution # PC-2003-09-015

Moved by: Chamberlain

Seconded by: Wright

RESOLVED, That the Planning Commission hereby recommends to City Council that the Preliminary Site Plan Approval, pursuant to a proposed amended consent judgment, for a proposed restaurant and retail building in the Troy Commons Retail Center, located on the northwest corner of Rochester and Big Beaver Roads, within Section 22, within the B-2 and B-3 zoning districts, be granted, subject to the following conditions:

1. A 5-foot wide sidewalk be provided from the extreme southeast corner of the property at the intersection of Big Beaver and Rochester Roads directly to the restaurant to accommodate pedestrian traffic; and
2. A traffic study be conducted prior to going to City Council to assess the length of the divider (island) in the extreme northeast corner of the property at the entrance from Rochester Road.

Discussion on the motion on the floor.

Mr. Storrs asked if the motion precludes the petitioner from possibly proposing a new and creative landscape plan for the intersection.

Mr. Chamberlain responded in the negative.

Vote on the motion on the floor.

Yes: Chamberlain, Littman, Schultz, Storrs, Strat, Vleck, Waller, Wright
No: Kramer

MOTION CARRIED

Mr. Kramer voted no because he thinks the intensity of the expanded and additional uses creates an adverse condition for the restaurant customers, and parking to the far west part of the usable restaurant parking is not practical. Mr. Kramer said he believes the petitioner's layout creates a self-imposed hardship that he cannot support.



Public Works Department

Memo

To: John Szerlag, City Manager

From: Timothy L. Richnak, Public Works Director

CC: Gary A. Shripka, Assistant City Manager/Services, John Lamerato, Assistant City Manager/Finance & Administration, Mary Redden, Manager's Office Coordinator

Date: 9/17/03

Re: CDBG Program Administration and Resolution opposing change to CDBG Funding

Attached is a copy of the letter signed by Mayor Matt Pryor committing the City of Troy to participate in Oakland County's Urban County Community Development Block Grant Program for program years 2003-2005. The U.S. Department of Housing and Urban Development requires Oakland County to renew the Cooperation Agreement every three years.

It is possible for the City of Troy to administer its own C.D.B.G. program. There are several negatives:

We would no longer be eligible to receive Home Improvement Program funds. Approximately \$1 million in HOME funds are combined with CDBG funds each year to improve local housing. (HOME is the largest Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households. HOME provides formula grants to States and localities that communities use-often in partnership with local nonprofit groups-to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people.) Oakland County approved 7 loan applications last program year accounting for an approximate \$140,000 investment in the local housing stock.

Currently Oakland County handles the majority of the federal paperwork involved in administering the Community Development Block Grant Program. There are some very specific and complex reporting, eligibility, accounting, auditing, contract compliance, fair

housing and equal opportunity requirements in the administration of the CDBG program, that are required of the community. The reduction in administrative burden helps maximize the benefit of each dollar at the local level.

Wages, benefits, office space, computers, supplies and materials, training and resources that would be needed to take over the Home Improvement Program are now provided by Oakland County.

In response to the question of the resolution opposition:

We have a population that, for the most part, does not qualify for the programs that can be funded under the C.D.B.G. guidelines. Each year we find it more difficult to spend our allocation. Our Section 36 area is dwindling. A large part of the monies were spent for Storm and Drain improvements. Currently the ruling is that we can spend no more than 50% of our allocation on the Home Chore Program. We spent \$47,472.20 last year, which is less than half of what we were allowed. We have no residents waiting for these services.

I believe the change in fund allocation is a better switch of dollars due to the above.

The Oakland County Board of Commissioners will meet on September 18, 2003 to consider the proposed formula funding change.

CITY OF MADISON HEIGHTS

300 W. Thirteen Mile Road
Madison Heights, Michigan 48071
FAX NUMBER: (248) 588-0204
PHONE NUMBER: (248) 583-0826

DATE: 9-10-03

ATTN: John Szerlag, City Manager - Troy

TO FAX NUMBER: 248-524-0851

FROM: CITY CLERK'S OFFICE

RE: RESOLUTION OPPOSING OAKLAND COUNTY CDBG
CITIZEN ADVISORY COUNCIL FUNDING FORMULA CHANGE.

COMMENTS: To be considered by the Oakland County Board of
Commission Finance Committee on September 11, 2003 and by the full
Board on September 18, 2003

TOTAL NUMBER OF PAGES TO FOLLOW COVER SHEET: 2

This facsimile contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the Addressee(s) named below. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via the U.S. Postal Service.

If we need to re-send any page, please call the number above and ask for the person sending the transmittal listed above. If you do not call, we will assume that you have received the entire transmittal. Thank you.

The following is an excerpt from the minutes of a Regular Meeting of the Madison Heights City Council of the City of Madison Heights, Oakland County, Michigan held on Monday, September 8, 2003 at 7:30 p.m. Eastern Daylight Savings Time in the Municipal Building in said City.

Present: Mayor Swanson, Mayor Pro Tem Corbett, Councilmen Clark and McGillivray, Councilwomen Scott and Shad

Absent: Councilwoman Russell (excused).

310. Resolution Opposing Oakland County CDBG Citizen Advisory Council Funding Formula Change.

Motion by Councilman Clark,
Supported by Councilwoman Scott,

WHEREAS, the City of Madison Heights receives its Community Development Block Grant (CDBG) Funding through Oakland County; and

WHEREAS, the City of Madison Heights utilizes its CDBG funding for several critical programs including code enforcement, minor home repair, senior home chore, and street improvements; and

WHEREAS, CDBG funds are distributed based on the current formula with 20% of the total grant allocated for administrative costs for the County, with the remaining portion split 33.3% Home Improvement Loan Program and 66.7% distribution to local participating communities for local CDBG funded programs; and

WHEREAS, this formula resulted in Madison Heights receiving \$192,883 in 2003; and

WHEREAS, the County is now seeking to revise the formula for distribution so that Madison Heights' 2004 distribution would be reduced to \$139,221, a 27.8% decrease; and

WHEREAS, the proposed CDBG fund distribution formula would be 20% of the total grant is allocated for administrative costs for the County, with the remaining portion split 40% Home Improvement Loan Program and 60% distribution to local participating communities for local CDBG funded programs; and

WHEREAS, the proposed formula for distribution effectively transfers CDBG funding from Madison Heights and other urbanized cities to rural and less urbanized areas; and

WHEREAS, CDBG funding is primarily intended to benefit low/moderate income persons; and

WHEREAS, between 1990-2000 Madison Heights' low/moderate income population increased by 13.55%; and

WHEREAS, the County's proposed formula revisions would reduce CDBG funding for Madison Heights' increasing low / moderate population; and


WHEREAS, on September 11, 2003, the Oakland County Board of Commission Finance Committee and, on September 18, 2003, the full Board are scheduled to consider the proposed formula funding change;

NOW, THEREFORE, BE IT RESOLVED, that the City of Madison hereby opposes the proposed CDBG distribution formula modifications for the forgoing reasons; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Oakland County Board of Commissioners, County Executive L. Brooks Patterson and the southeast Oakland County communities of Berkley, Clawson, Ferndale, Hazel Park, Huntington Woods, Oak Park and Troy.

Yeas: Mayor Swanson, Mayor Pro Tem Corbett, Councilmen Clark and McGillivray, Councilwomen Scott and Shad
Nays: None
Absent: Councilwoman Russell (excused).

I, the duly authorized City Clerk of the City of Madison Heights do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Madison Heights City Council on Monday, September 8, 2003.



Geraldine A. Flack
City Clerk

COMMUNITY DEVELOPMENT BLOCK GRANT OPPOSING NEW FORMULA AWARD DISTRIBUTION

WHEREAS, the City of Hazel Park receives its Community Development Block Grant (CDBG) Funding through Oakland County; and

WHEREAS, the City of Hazel Park utilizes its CDBG funding for several critical programs including code enforcement, minor home repair, and public services; and

WHEREAS, CDBG funds are distributed based on the current formula with 20% of the total grant allocated for administrative costs for the County, with the remaining portion split 33.3% Home Improvement Loan Program and 66.7% distribution to local participating communities for local CDBG funded programs; and

WHEREAS, this formula resulted in City of Hazel Park receiving \$148,024 in 2003; and

WHEREAS, the County is now seeking to revise the formula for distribution so that City of Hazel Park's 2004 distribution would be reduced to \$112,130, a 24% decrease; and

WHEREAS, the proposed CDBG fund distribution formula would be 20% of the total grant is allocated for administrative costs for the County, with the remaining portion split 40% Home Improvement Loan Program and 60% distribution to local participating communities for local CDBG funded programs; and

WHEREAS, the proposed formula for distribution effectively transfers CDBG funding from Hazel Park and other urbanized cities to rural and less urbanized areas; and

WHEREAS, CDBG funding is primarily intended to benefit low/moderate income persons; and

WHEREAS, between 1990-2000 City of Hazel Parks' low/moderate income population increased by 9.52%; and

WHEREAS, the County's proposed formula revisions would reduce CDBG funding for Hazel Park's increasing low/moderate population; and

WHEREAS, on September 11, 2003, the Oakland County Board of Commission Finance Committee and, on September 18, 2003, the full Board are scheduled to consider the proposed formula funding change; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Hazel Park hereby oppose the proposed CDBG distribution formula modifications for the forgoing reasons; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Oakland County Board of Commissioners, County Executive L. Brooks Patterson and the southeast Oakland County communities of Berkley, Clawson, Ferndale, Madison Heights, Huntington Woods, Oak Park, and Troy.

September 9, 2003

Aug 30, 2003

Dear City of Troy,

This letter is to express my appreciation to the Depart. of Public Works. They paved a portion of my driveway that ~~had~~ has a sewer on it. They were courteous, prompt and gave helpful advice. Troy is a great city to live in.

Thank You,

RECEIVED

(30 yr resident)

SEP 05 2003

Linda Gamrat

CITY OF TROY
CITY MANAGER'S OFFICE4291 Brightwood
Troy, MI 48085

529 Stewart Road • Monroe, Michigan 48162

VISITATION

THE WHITE HOUSE
WASHINGTON

September 8, 2003

Dear Chairman Bertin:

On behalf of the President, thank you for recommending Gary L. Talbot for a position on the Architectural and Transportation Barriers Compliance Access Board.

Please be assured that your candidate will receive full consideration as we work to select those to serve the President and the country.

We appreciate your recommendation.

Sincerely,

A handwritten signature in black ink that reads "Dina Powell". The signature is written in a cursive, flowing style.

Dina Powell
Assistant to the President for
Presidential Personnel

Mr. Leonard G. Bertin
Chairman
Advisory Committee for Persons with Disabilities
City of Troy
500 West Beaver
Troy, MI 48084

Dear Chief Craft,

G-05c

On Thursday, July 22, 2003 my son, Jordan Gonsalves was involved in a car accident. It was his first incident so I left work to be with him. First and foremost to ensure he was safe and unharmd second to make sure he ^{would} be treated fairly by all parties.

When officer Paul Basko arrived he treated my son with respect, like an adult; which I appreciate very much. He listened to both versions of the incident without prejudice. My concern of Jordan being taken advantage of had all resolved.

I wanted you to know how much I appreciated that my son wasn't treated as though he

was at fault just because (2)
he's a teenager.

Officer Basko helped to make a stressful and scary experience for my son less so, just by treating him with respect.

Thank you for your time and for having officers of the highest caliber. Being a resident of Troy I'm very proud and I feel very secure knowing there are quality men on my police force.

Respectfully,

Ramona Wasniewski

RECEIVED

Chief of Police

8/20/2003 CE

RECEIVED
Chief of Police
8/17/03 CTC

G-05d

Thank You!

Thank you for everything you did to accommodate the seniors at Oakland Park Towers II during the "2003 Blackout". It is greatly appreciated!

Police Department

Jean Jordan

Barbara Die

Pauline Maffessoli
Angela Jamroz

Marian Bush Clark
Linda Kemble
Bea Beay

Mary Feehey

Sara Martinic

Nancy

Helen Beauchamp

Alice Perm

Dorothy Soyoun
Edna Grand

Tami Henderson

Linn Begbehn
Alice Dacek
Dorothy R...
Dorothy R...

Frank Willard

Mary Bradley

Deborah Johnson

Shirley Marchand
Alma Adomeki

Mary Henry

Bill

John

Hite

Anna

Buttice

Carol Mosher
Shirley Kencard
T Michelle

Virginia Ring

Larry & Debra
Genevieve Smith

Jay E

Elsie Jurinic

Carol Mosher
Dorothy Soyoun
Kencard



Thank You!

Thank you for everything you did to accommodate the seniors at Oakland Park Towers II during the "2003 Blackout". It is greatly appreciated!

Elizabeth Krzyewski
Virginia Borgne
Alice Lee

Olivia
Doris Hamway
Emma Ernest
Virginia Lee

Meib Hope Brown

Josephine Elkauri
Mary Lou Hunter

Alice Kealey

Madlyn Peters..
Telephone

Kathy Kahane

Mary Agnes
Martha Shields

Mary Lou G.
Gail J Smith

Beverly Carter
Jimmie Tudor

Cora L. Howard
Cathy Ellis

Minnie Knaah

Edna Grandy
Eleanor Stuart

Marge McColl

Ellen O'Dell
Jeanne

Catherine M. Hedwick

Helen Lachowsky

Sara Reher

Violet Culling

E. Ana Lucas

Hyacinth Abbinante

June Allen

George Stewart



For the Prevention of Drug and Alcohol Abuse

Executive Board

Dave Lambert
President

Kathy Merritt
Vice President

Henry Allemon
Treasurer

Gary Winkelman
Secretary

Dennis Drury
Member-At-Large

Jacques Haddad
Member-At-Large

Ida Edmunds
Past President

Chuck Palmer
Coalition of Healthy
Communities

Ann Comiskey
Executive Director

August 8, 2003

Officer Ryan Kukla
Troy Police Department
500 W. Big Beaver Road
Troy, MI 48084

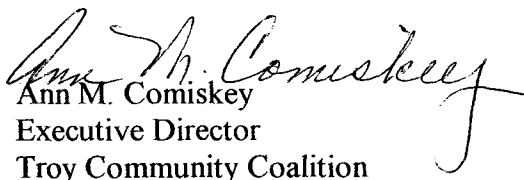
Dear Officer Kukla,

I wanted to take this opportunity to thank you for being our guest speaker at last night's Troy Community Coalition meeting. As you can tell by the many questions everyone enjoyed your presentation. We never expected our evening to be so interesting and educational. The information you provided was truly appreciated and I am very grateful that Captain Mayer and Lt. Zavislak suggested you as the educational part of our meeting.

Your generosity in answering our many questions, your explanation about police procedure, the handouts you provided, and the information you shared with us on the many aspects of an OUIL arrest will be remembered by all. It brings a new appreciation from us civilians for those of you in the law enforcement profession.

I thank you and commend you for your professionalism and generosity. You are a credit to our community and I am sure a valued member of the Troy Police Department. If the Troy Community Coalition, or I, can ever be of service to you, please do not hesitate to call on us. Once again, thank you for the truly enlightening evening.

Sincerely,


Ann M. Comiskey
Executive Director
Troy Community Coalition

CC: Captain Gary Mayer
Lieutenant Steve Zavislak



4420 Livernois
Troy, MI 48098

248.823.5088
Fax: 248.823.5051
www.troycoalition.com

The Troy Community Coalition for the Prevention of Drug and Alcohol Abuse is a nonprofit organization dedicated to improving the quality of life for all who live or work in Troy, by promoting a lifestyle free from the abuse of alcohol and drugs.



For the Prevention of Drug and Alcohol Abuse

52-4 District Court
 AAA Michigan
 American Association of Retired Persons
 American Association of University Women
 Ameritech
 Arab-American & Chaldean Council
 ArvinMeritor
 Athens High School Project LEAD & S.A.D.D.
 Baha'i of Troy
 Bank One
 Big Beaver United Methodist Church
 Bishop Foley High School
 Bostick Real Estate
 Boys & Girls Club of Troy
 CATS Company
 Church of Jesus Christ of Latter Day Saints
 City of Troy
 Clawson Troy Elks
 Comerica Bank
 Council of Troy Homeowners Association
 County Commissioner, District 16
 Delphi Automotive
 Detroit Edison
 Doeren Mayhew
 Drug Enforcement Administration
 E. Long Lake Homeowners Association
 Ebony Homeowners
 FamilyWorks of Troy
 Federal Bureau of Investigation
 First Presbyterian Church
 First United Methodist Church
 General Motors Corporation
 Henry Ford Health Systems
 Kwanis Club of Troy
 M.A.D.D. Oakland County
 Michigan Department of Public Health
 Michigan National Bank
 Midwest Guaranty Bank
 Modernistic Carpet
 National City Bank
 North Hills Christian Reformed Church
 Oakland County Health Department
 Oakland County Medical Society
 Oakland University
 Observer Eccentric Newspapers
 Office of Oakland County Prosecutor David Goryca
 Office of Sheriff Michael Bouchard
 Office of State Senator Shirley Johnson
 Office of U.S. Representative Sander Levin
 Office of U.S. Senator Carl Levin
 Office of U.S. Senator Debbie Stabenow
 Performance Resource Press
 Perspectives of Troy
 PTO/PTA Organizations
 S.O.C. Credit Union
 St. Anastasia Church
 St. Elizabeth Ann Seton Church
 St. George's Greek Orthodox Church
 St. Joseph Catholic Chaldean Church
 St. Nicholas Greek Orthodox Church
 St. Stephen's Episcopal Church
 St. Thomas More Church
 Standard Federal Bank
 State of Michigan
 State Representative John Pappageorge
 State Representative Robert Gosselein
 Sylvan Glen Homeowners
 Troy Advisory Comm. for Persons with Disabilities
 Troy Board of Education
 Troy Chamber of Commerce
 Troy City Council
 Troy Community Chorus
 Troy Community Foundation
 Troy Education Association
 Troy Families for Safe Homes
 Troy First United Methodist Church
 Troy Ford
 Troy High School Project LEAD & S.A.D.D.
 Troy Jaycees
 Troy Medi-Go
 Troy Newcomers Club
 Troy Optimist Club
 Troy Parks & Recreation
 Troy Police Department
 Troy School District
 Troy Somerset Gazette
 Troy Special Education PTA
 Troy Womens Association
 Troy Youth Assistance
 William Beaumont Hospital, Troy
 Mary Ann Solberg
 Executive Director
 4420 Livemois Rd.
 Troy, MI 48098

August 14, 2003

Chief Charles Craft
 Troy Police Department
 500 W. Big Beaver
 Troy, MI 48084

Dear Chief Craft:

Thank you for sending the Troy Police Canine Unit to present a demonstration at the Rochester Villas Summer Camp on August 6th. This is one of the most popular programs of the summer. The students enjoyed it and learned a lot.

Thanks to our partnership with the Troy Police Department and Smith Middle School, the third year of the Rochester Villas Summer Program at Smith has once again, successfully provided alternative activities for a number of at-risk youth in Troy.

We hope that the Canine Unit will be available to present to the Rochester Villas Program again next summer. Thank you again.

Sincerely,

Lori Podsiadlik
 Lori Podsiadlik

Program Director

OFF. KLUTE
 OFF. BEDNARD
 OFF. BARROWS
 OFF. COLE



This note is to thank
the Troy Police Department,
and, especially the Lady
officer who took my call
Sunday evening, August 31st
between 9 and 10 P.m.

Through her efforts in contacting
the Meadville Police in
Pennsylvania; I was able
to make contact with my
nephew before his father
passed away.

Again, my sincere thanks
for your help and support.



...very much!

Sincerely,

Mr. Mrs. Kenneth Linton

[REDACTED]
Troy, Mi 48083

RECEIVED

Chief of Police

9/10/2003 C



Sept 8, 2003

Dear Chief Craft,

As a resident of Troy I want to express admiration and a "thank you" to you and your department for the very quick, diligent effort in quickly apprehending the alleged perpetrators of the "Cold-Blooded" killing of the Holiday Inn night clerk and wounding of a guest.

It is reassuring to know that Troy is served by one of the best, most professional police departments in the State. Your work and efforts are appreciated by all of us.

Sincerely,
Marc Higginbotham



CITY ELEVATOR

September 12, 2003

Ms. Susan Leirstein
City of Troy Purchasing Dept.
500 W. Big Beaver
Troy, MI 48084

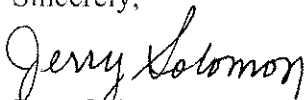
Re: City of Troy bid opening.

Dear Ms. Leirstein::

As an elevator contractor we have bid on and attended many bid openings. Prior to September 10, 2003 they were all the same, perfunctory at best. The professionalism and execution of the bid opening displayed by Ms. Linda Bockstanz and Mr. Steven Pallotta was exemplary. It assured us that all bids were reviewed equally and fairly, which we appreciate.

Thank you and please extend our thanks to Ms. Bockstanz and Mr. Pallotta.

Sincerely,


Jerry Solomon

September 2003

September 2003						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2003						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
September 1	2	3	4	5	6
	7:30pm Planning Commission-Study (Lower Level)	8:30am Building Code Board of Appeals (Lower Level) 7:00pm Adv Comm Pers w/Disabilities	10:00am Sr Citizen Advisory Committee (Community Center)		
					7
8	9	10	11	12	13
7:30pm City Council-Regular (Council Chambers) 7:30pm Liquor Committee (C)	7:30pm Historical Society (Community Center) 7:30pm Planning Commission-Regular (Council Chamber)	3:00pm Retirement System Board of Trustees (C)	7:30pm Library Board (Library) 7:30pm Parks & Recreation Board (Community Center)	5:30pm Troy Daze Opening Ceremony (Boulan Park)	
					14
15	16	17	18	19	20
	7:30pm Board of Zoning Appeals (Council Chamber) 7:30pm Historic District Commission (City Hall)	7:30am Downtown Development Authority (Lower Level) 7:00pm Troy Youth Council (Lower Level) 7:30pm Traffic Committee (Lower Level)			
					21
22	23	24	25	26	27
7:30pm City Council-Regular (Council Chambers)	7:30pm Historical Commission (Museum) 7:30pm Planning Commission-Study (Lower Level)				
					28
29	30				

October 2003

October 2003						
S	M	T	W	T	F	S
5	6	7	1	2	3	4
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2003						
S	M	T	W	T	F	S
2	3	4	5	6	7	1
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		October 1	2	3	4
		8:30am Building Code Board of Appeals (Lower Level) 7:00pm Adv Comm Pers w/Disabilities	10:00am Sr Citizen Advisory Committee (Community Center)		5
6	7	8	9	10	11
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning Commission-Study (Lower Level)	3:00pm Retirement System Board of Trustees (C)	7:00pm Parks & Recreation Board (Community Center) 7:30pm Library Board (Library)		12
13	14	15	16	17	18
7:30pm Liquor Committee (C)	7:30pm Historical Society (Community Center) 7:30pm Planning Commission-Regular (Council Chambers)	7:30am Downtown Development Authority (Lower Level) 7:00pm CATV 7:30pm Traffic Committee (Lower Level)	3:00pm Brownfield Redevelopment Authority		19
20	21	22	23	24	25
7:30pm City Council-Regular (Council Chambers)	7:30pm Board of Zoning Appeals (Council Chamber) 7:30pm Historic District Commission (City Hall)	7:00pm Troy Youth Council (Lower Level)			26
27	28	29	30	31	
7:30pm City Council-Regular (Council Chambers)	7:30pm Historical Commission (Museum) 7:30pm Planning Commission-Study (Lower Level)				

November 2003

November 2003							December 2003						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	1	7	1	2	3	4	5	6
9	10	11	12	13	14	8	14	8	9	10	11	12	13
16	17	18	19	20	21	15	21	15	16	17	18	19	20
23	24	25	26	27	28	22	28	22	23	24	25	26	27
30						29		29	30	31			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					November 1
					2
3	4	5	6	7	8
7:30pm City Council-Regular (Council Chambers)	Election Day 7:30pm Planning Commission-Study (Lower Level)	8:30am Building Code Board of Appeals (Lower Level) 7:00pm Adv Comm Pers w/Disabilities	10:00am Sr Citizen Advisory Committee (Community Center)		9
10	11	12	13	14	15
7:30pm Liquor Committee (C)	10:30am Veteran's Day Ceremony (Veteran's Memorial Plaza) 7:30pm Historical Society (Community Center) 7:30pm Planning Commission-Regular	3:00pm Retirement System Board of Trustees (DPW)	7:30pm Library Board (Library) 7:30pm Parks & Recreation Board (Community Center)		16
17	18	19	20	21	22
7:30pm City Council-Regular (Council Chambers)	7:30pm Board of Zoning Appeals (Council Chamber) 7:30pm Historic District Commission (City Hall)	7:30am Downtown Development Authority (Lower Level) 7:00pm Troy Youth Council (Lower Level) 7:30pm Traffic Committee (Lower Level)			23
24	25	26	27	28	29
7:30pm City Council-Regular (Council Chambers)	7:30pm Historical Commission (Museum)		Thanksgiving Holiday-City Offices Closed		30

PRESS RELEASE – FOR IMMEDIATE ATTENTION

For further information, contact:
 Jeff McKeen, General Manager
 248-288-5150

SOCRRA MEMBER COMMUNITIES RECEIVE \$1,000,000 REFUND

The Southeastern Oakland County Resource Recovery Authority (SOCRRA) has announced that it is refunding a total of \$1,000,000 to its current member communities. The money being refunded was, in part, recently released from court order as the result of an agreement reached between SOCRRA and Rochester Hills. This agreement also calls for SOCRRA and Rochester Hills to jointly seek a developer to construct and operate a golf course on a 192 acre site owned by SOCRRA in Rochester Hills.

The SOCRRA member communities and the amount of money being refunded to each community are listed below:

Berkley	\$ 65,900
Beverly Hills	\$ 35,900
Birmingham	\$ 99,500
Clawson	\$ 47,700
Ferndale	\$ 98,600
Hazel Park	\$ 75,100
Huntington Woods	\$ 26,900
Lathrup Village	\$ 14,600
Oak Park	\$ 100,800
Pleasant Ridge	\$ 14,500
Royal Oak	\$258,200
Troy	\$152,700

The money will be refunded to the member communities on September 15, 2003.

September 16, 2003

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
 Gary Shripka, Assistant City Manager/Services
 Doug Smith, Real Estate and Development Director
 Mark F. Miller, Planning Director

SUBJECT: SALEEN ASSEMBLY FACILITY (Former Stanley Door Site) – 1225 E. Maple Road

BACKGROUND

At their July 22, 2003 Special/Study Meetings, the Planning Commission approved the following resolution.

Resolution

Moved by Waller

Seconded by Chamberlain

RESOLVED, that this body as a collective group sends a message to City Management and City Council that the applicant for the Saleen Assembly Facility be asked to put in a sidewalk on the theme of continued enhancement and walkability of the City of Troy.

Yeas

All present (7)

Absent

Vleck
 Wright

MOTION CARRIED

At their August 5, 2003 Special/Study Meetings, the Planning Commission approved the following resolution.

Resolution

Moved by Schultz

Seconded by Waller

RESOLVED, that City Management and City Council, based on the classifications and considerations given to Brownfield redevelopment, and the removal of the vast majority of the existing landscaping for which the site plan drawings show were to remain, require the Saleen Assembly Facility to bring

the development up to City development standards inclusive of landscaping and sidewalk requirements.

Yeas

Chamberlain
Littman
Schultz
Storrs
Strat
Waller

Nays

Kramer

Absent

Vleck
Wright

MOTION CARRIED

RESULTS

City Management requested that the right of way sidewalk and landscaping be installed. Redico, the builder owner, has committed to the installation of these improvements.

cc: Planning Commission
Mark Stimac, Building and Zoning Director
File/ Saleen Assembly Facility

G:\City Council Agenda Items\2003 Agenda Items\CC Report re Saleen Facility.doc

4. PLANNING AND ZONING REPORT

Mr. Miller reported on the following items.

- *Saleen / Stanley Door Site* – Administrative approval was given to the Saleen assembly facility for its building renovation.

A brief discussion followed on the administrative approval of the Saleen assembly facility with respect to sidewalks, deceleration lanes, landscaping and parking. Mr. Miller will check the current plan with the Building Department and advise the Commission of the status at the August 5, 2003 Special/Study Meeting.

Resolution

Moved by Waller

Seconded by Chamberlain

RESOLVED, that this body as a collective group sends a message to City Management and City Council that the applicant for the Saleen Assembly Facility be asked to put in a sidewalk on the theme of continued enhancement and walkability of the City of Troy.

Yeas

All present (7)

Absent

Vleck
Wright

MOTION CARRIED

The Planning Department will forward a copy of the Resolution to both City Council and the Building Department.

September 16, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Parks and Recreation Receives a Keep Michigan Beautiful Award

Parks and Recreation is receiving a 2003 Distinguished Service Plaque award from Keep Michigan Beautiful, Inc. for outstanding grounds maintenance in the Civic Center complex.

Keep Michigan Beautiful, Inc. recognizes programs and activities that substantially contribute to environmental improvements, cleanup, beautification and site restoration in the State of Michigan.

The Distinguished Service Award is a plaque given for programs and activities that have contributed to the beauty and environment of Michigan.

Parks and Recreation received this award because of its commitment in distinguishing itself from traditional office complexes by welcoming visitors with the most visually appealing, in-season flowers and landscaping possible.

Citizens who enter Civic Center facilities are greeted by aesthetically pleasing entryways and multiple dedicated gardens, which positively enhance their impression about City offices and how the City values its visitors.

Parks and Recreation will be awarded the Distinguished Service Award at the Keep Michigan Beautiful awards conference in Frankenmuth, Michigan on Thursday, October 9, 2003.

September 16, 2003

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
Mark F. Miller, Planning Director

Subject: Update - Planning Commission Proposed
Zoning Ordinance Text Amendments (ZOTAs)

The Planning Commission has proposed a substantial number of zoning ordinance text amendments. These have ranged from minor revisions to complete over hauls to sections of the zoning ordinance. City Management has limited resources to address these issues and provide a complete professional analysis. Four remaining proposed amendments are being reviewed and scheduled for City Council public hearings. The following is list of the four outstanding Planning Commission proposed zoning ordinance amendments.

1. Amateur Radio Antenna

City Council directed the Planning Commission to address revisions to bring the ordinance provisions in compliance with federal regulations. It was determined that the zoning ordinance is compliant, however, the Planning Commission recommended some revisions. These revisions involve the Board of Zoning Appeals, in relation to height variances. Therefore, at the September 16, 2003 meeting, the Board of Zoning Appeals will have the opportunity to comment on the Planning Commission's proposed amendment. City Management will review the comments and prepare a professional recommendation. A public hearing will be scheduled on the October 27, 2003 or November 24, 2003 City Council agenda, depending on the Board of Zoning Appeals comments.

2. Site Plan Review Standards

A public hearing will be scheduled for October 27, 2003 City Council meeting. City Management will recommend approval of the Planning Commission's recommendation, with minor revisions.

3. R-1T One Family Attached Residential District

A public hearing will be scheduled for the October 27, 2003 City Council meeting. City Management will recommend approval of the Planning Commission's recommendation, with minor revisions.

4. Parking Requirements

The Planning Commission's recommended revisions to the parking requirements involve a comprehensive revision to the parking standards. Many of the current parking space requirements are increased. This will have a dramatic impact on legal existing uses through out the City. City Management is carefully gauging the impact of these proposed changes, included informing the impacted property owners. Also, the Planning Commission is proposing to allow all uses with 40 parking spaces or more, to land bank 25% of the parking. In addition, joint parking would be permitted for all uses. City Management will recommend approval of the land bank and joint parking proposals, with minor revisions. City Management will schedule a City Council public hearing in December 2003.

Cc: Planning Commission
Mark Stimac, Building and Zoning Director
Doug Smith, Real Estate and Development Director
File/ZOTAs

G/zoning ordinance/planning commission projects city council 9-22-03

September 16, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: MINUTES OF THE AUGUST 5, 2003 PLANNING COMMISSION
SPECIAL/STUDY MEETING

At the August 5, 2003 Planning Commission Special/Study Meeting, a Planning Commissioner expressed concern over City Management's handling of Planning Commission initiated zoning ordinance amendments. The intent of this memo is to formally respond to these concerns.

Page 3:

Mr. Chamberlain referenced several Planning Commission items that are pending, and believes that City Management intentionally holds back items from City Council action. Mr. Chamberlain said the conduit of Planning Commission items should be directly to City Council, not via City Management.

City Management does not hold back items from City Council action. All Planning Commission initiatives have either gone before City Council for consideration or are scheduled by City Management for a future City Council Public Hearing. City Management will ensure a professional review of all proposed zoning ordinance amendments.

Page 4:

Special Use

Mr. Chamberlain provided draft language related to the residential portion. Mr. Chamberlain is going before City Council to request money to cover typing expenses.

City Management has determined that the Planning Department will type the Special Use provisions as developed by the Planning Commission.

Attachments/August 5, 2003 Planning Commission Special/Study Meeting
Minutes

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on August 5, 2003, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present

Gary Chamberlain
Dennis A. Kramer
Lawrence Littman
Robert Schultz
Walter Storrs
Thomas Strat
David T. Waller

Absent

Mark J. Vleck
Wayne Wright

Also Present

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Resolution

Moved by Chamberlain

Seconded by Schultz

RESOLVED, that Messrs. Vleck and Wright be excused from attendance at this meeting.

Yeas

All present (7)

Absent

Vleck
Wright

MOTION CARRIED

2. PUBLIC COMMENTS

No one was present to speak.

3. PLANNING AND ZONING REPORT

Ms. Lancaster circulated an article related to school district court cases.

Mr. Miller reported on the following Council actions taken at their August 4, 2003 Regular Meeting.

- *Charleston Club and Harrington Park Condominiums* – The Planning Commission's resolution requesting Council action on the pedestrian cross access matter, as well as a memorandum from the City Attorney and a petition signed by Charleston Club condominium owners asking for relief of the pedestrian cross access requirement, were discussed. City Council took no action because it has no authority to change site plan conditions, and advised the petitioner to go before the Planning Commission for site plan revisions. As an enforcement issue, the two remaining final certificates of occupancy for the Charleston Club Condominium development will be held until all site plan conditions, as approved by the Planning Commission, are in full compliance.
- *Shady Creek South Site Condominium Final Approval* – City Council approved the final plan.
- *Oak Forest Subdivisions, Fetterly Drain, Regional Detention and Linear Park Development* – City Council rejected the potential land exchanges with the developer relative to proceeding with the Regional Detention and Linear Park development plan in that area.

Mr. Miller reported on the following items.

- *Saleen / Stanley Door Site* – The Building Department determined a site plan was not required for the facility because there are no proposed exterior improvements. Interior plans for the site were circulated.

A brief discussion followed. Mr. Miller said he would forward to the appropriate departments the resolution passed at the July 22, 2003 Planning Commission Special/Study Meeting with respect to providing a sidewalk at this facility.

Resolution

Moved by Schultz

Seconded by Waller

RESOLVED, that City Management and City Council, based on the classifications and considerations given to Brownfield redevelopment, and the removal of the vast majority of the existing landscaping for which the site plan drawings show were to remain, require the Saleen Assembly Facility to bring the development up to City development standards inclusive of landscaping and sidewalk requirements.

Yeas

Chamberlain
Littman
Schultz
Storrs
Strat
Waller

Nays

Kramer

Absent

Vleck
Wright

MOTION CARRIED

Mr. Kramer thinks the City is faced with a technicality issue; i.e., if there is green space, it's landscaping. Mr. Kramer suggested that the Commission or Planning Department review the site plan for compliance to current landscape criteria and requirements; and if there is any variance from today's standards relative to the number of trees or plantings along Maple, or the square footage required for that green space, the Planning Commission should be made aware of the matter.

Discussion followed on the procedure to get Planning Commission action items and resolutions on City Council agendas.

Ms. Lancaster stated there are no stipulations in the Charter, ordinances or State statutes with respect to authority of City administration in placing or not placing items on City Council agendas. She said consideration should be given to City Management to allow time for research of action items that better enables them to provide comprehensive reports to City Council.

Mr. Chamberlain referenced several Planning Commission items that are pending, and believes that City Management intentionally holds back items from City Council action. Mr. Chamberlain said the conduit of Planning Commission items should be directly to City Council, not via City Management.

Mr. Miller stated clearly that it is not the intent of City Management to hold back items from City Council action. Mr. Miller said he would check with City Management to determine potential City Council meeting dates for the pending zoning ordinance text amendment items (Amateur Radio Antenna Height, Parking Requirements, Site Plan Approval, R-1T).

- *Additional City Council Meeting (September through May)* – All public hearings will be scheduled on the 3rd Monday of the month for City Council action. The same rules and procedures will prevail.
- *Off-site Planning Commission Meetings* – Research is continuing on this matter. Mr. Miller will advise the Commission if the August 26, 2003 Special/Study Meeting can be held at the Troy Nature Center.

Mr. Storrs reported that the Cranberry House Senior Day Care business is no longer in operation.

Mr. Strat reported that his local school contact thinks the State requirement per child is excessive. The Planning Department will follow up with a report on its findings.

4. SUB-COMMITTEE REPORTS

CR-1

Mr. Miller said he would review the draft report.

Tree Preservation / Landscaping / Walls

Mr. Waller reported that the Committee is still waiting to receive nearby city ordinances for review.

Gateway / Beautification

Mr. Savidant reported that PEA provided a generic gateway sign as requested by the Committee; Mr. Chamberlain and Mr. Storrs will review it during the week.

Special Use

Mr. Chamberlain provided draft language related to the residential portion. Mr. Chamberlain is going before City Council to request money to cover typing expenses.

Indoor Commercial Recreation

Mr. Miller will arrange for corporate representatives to meet with the Committee.

5. PROPOSED PLANNED UNIT DEVELOPMENT (PUD-3) – Proposed Sterling Corporate Center, North side of Big Beaver, West of I-75, Section 21 – O-S-C

Mr. Miller reported that the most recent Planning Consultant report was received after business hours on Friday, August 1st, and copies of the report were provided to the Commission at the beginning of tonight's meeting. Mr. Miller referenced the final two pages of the report and reviewed the itemized comments provided by the Planning Consultant.

Peter Burton and Chuck DiMaggio of Burton Katzman, 30100 Telegraph Road, Suite 366, Bingham Farms, were present.

Mr. DiMaggio confirmed that the Planning Department provided him a copy of the Planning Consultant report, as well as the Planning Department report. Mr. DiMaggio said that, particularly after reading the staff report, he questioned whether they and the City have a shared vision of the proposed development. He reviewed their justifications in meeting the PUD eligibility criteria, and stated full flexibility and accommodation in meeting Planning Commission wishes to get their approval and favorable recommendation to City Council.

Mr. Chamberlain voiced frustration in not receiving the Planning Consultant report in the meeting packet to allow the necessary time to review the report prior tonight's meeting.

Mr. Strat requested the petitioner to provide the specific facts as to why it is not feasible to depress the parking lot as discussed at an earlier meeting; and further to provide cross section sight line views of the development at various elevations.

Mr. DiMaggio suggested meeting with Mr. Strat and the petitioner's project engineer. Chairman Littman advised the petitioner that all discussion on the proposed development should be in the presence of the entire body.

Mr. Burton said he understood the complexities of the project and information transmission. He noted that initial discussion with the City on this proposed development began three years ago. Mr. Burton said that one tenant has been lost because of the time constraints, and asked the best procedure to follow so the information and reports are circulated in a timely manner.

There was discussion on potential action taken by the Commission at their August 12, 2003 Regular Meeting and the completeness of the PUD contract documents. There was general consensus that because outstanding concerns remain with respect to the justifications of PUD eligibility, the project is not ready for preliminary approval action.

Mr. Miller confirmed that the PUD contract documents are prepared after a PUD receives preliminary approval. Mr. Miller suggested that the petitioner provide its material to the Planning Department no later than the Thursday prior to a scheduled meeting. This allows time for staff to prepare copies for delivery of meeting packets to the Commission on Friday afternoon. Mr. Miller further suggested the best procedure for preliminary review of material is to provide two copies to the Planning Department; one copy would be for review by the Planning Department and another copy would be provided to the Planning Consultant via overnight mail for his review.

Chairman Littman requested a recess at 8:47 p.m.

The meeting reconvened at 8:55 p.m.

6. SITE PLAN REVIEW (SP-894) – Proposed Office Building, Rochester Office Parc, West side of Rochester Road, South of Hannah, Section 3 – C-J

Mr. Savidant noted the petitioner submitted two site plans to the Planning Department on July 8, 2003. One plan proposed an entrance on Rochester Road; the alternate plan proposed an entry drive on Rochester Road in addition to entry drives on both Hannah and DeEtta. At the request of the City Manager, an environmental impact study (EIS) was conducted to analyze potential impacts of the entry drive on Rochester Road in relation to entry drives off of Hannah and DeEtta.

Mr. Savidant reported Tetra Tech, the petitioner's traffic engineer, has submitted a traffic report. In both his initial memorandum and upon complete review of Tetra Tech's traffic study, the City Traffic Engineer's opinion is that it would be most undesirable to place an entry drive on Rochester Road.

Mr. Savidant further reported that an informational letter was mailed on July 23, 2003 to all affected residents. He also stated that a memorandum from the City Engineer would be provided prior to the August 12th Public Hearing with respect to the proposed drainage on the property.

Mr. Miller stated the Planning Department has concerns with the proposed movement of traffic through the parking lot and circulated plans that were prepared internally that allow the flow of traffic around the two proposed office buildings. Mr. Miller also stated that he had a discussion with the petitioner about providing additional grade information.

Mr. Storrs would like to be confident that all resident concerns are addressed prior to the scheduled Public Hearing.

A lengthy discussion followed on the traffic report study and water drainage. Mr. Miller asked the petitioner to provide more assurance to the Planning Commission that the drainage concerns would be addressed.

The petitioner, Franco Mancini, 47858 Van Dyke, Shelby, was present.

Bill Mosher, project engineer from Apex Engineering Group Inc., 47745 Van Dyke, Shelby Township, was also present and gave a brief presentation on the retention and water flow. It is proposed to provide oversized storm sewers in conjunction with the retention basin and outlet the water to Rochester Road. Mr. Mosher said that all engineering concerns would be addressed once preliminary approval is given. He assured the Commission that both site plan options take into consideration the concerns of nearby residents, but noted there are some existing water issues that have been created by the nearby residents.

Mr. Mancini assured the Commission that the current water flow would be encased in the drainage plan, either by pipe, open drain or retention pond. He assured the Commission that Rochester Road would not be flooded and there would be no back flow. Mr. Mancini confirmed that he met with the City Engineer and discussed

placing a catch basin or open grate on site. Mr. Mancini said that he could not correct the water drainage with respect to what has been done by the nearby residents or what has been done, or not done, by the City.

A brief discussion was held on the existing and matching grades.

Ms. Lancaster confirmed that the Planning Commission has authority for site plan approval and that it would go before City Council only if there is a special approval or variance requested. The final site plan approval would be administratively handled after receipt of all of the executed easement agreements.

Mr. Miller requested the petitioner to consider relocating the dumpster on site.

Mr. Kramer requested that the City Traffic Engineer provide comments in terms of optimum acceleration and deceleration.

7. PLANNING COMMISSION BY-LAWS

There was discussion with respect to the procedure of representative appointments to the Board of Zoning Appeals. Ms. Lancaster will provide a report on this matter to the Board at a future meeting.

Ms. Lancaster noted that a revision date would be inserted on the Bylaws.

Resolution

Moved by Chamberlain

Seconded by Storrs

RESOLVED, that the Bylaws as presented and dated July 30, 2003 be approved as printed.

Yeas

All present (7)

Absent

Vleck
Wright

MOTION CARRIED

8. CHARTER TOWNSHIP OF SHELBY

Mr. Miller gave a brief review on the draft Master Plan prepared by Shelby Township.

Resolution

Moved by Chamberlain

Seconded by Schultz

RESOLVED, that the following resolution be adopted.

WHEREAS, the Shelby Township Planning Commission has prepared the Draft Shelby Township Master Plan; and,

WHEREAS, the Draft Shelby Township Master Plan includes recommendations for the physical development of the community, including Goals, Objectives and Strategies, a General Land Use Plan, and sub-area plans; and,

WHEREAS, the boundary of the City of Troy is contiguous with the boundary of Shelby Township; and,

WHEREAS, the Shelby Township Planning Commission has provided copies of the Draft Shelby Township Master Plan to members of the City of Troy Planning Commission for their review and comment, as required by Section 125.37b of Public Act 185 of 1931 as amended, known as the Municipal Planning Act; and by Section 125.327a of Public Act 168 of 1959, known as the Township Planning Act; and,

WHEREAS, the City of Troy Planning Commission has determined that the Draft Plan is consistent with the Future Land Use Plan of the City of Troy.

NOW THEREFORE BE IT RESOLVED, the City of Troy Planning Commission hereby supports the efforts of the Shelby Township Planning Commission in preparing the Draft Shelby Township Master Plan.

Yeas

All present (7)

AbsentVleck
Wright**MOTION CARRIED**9. REVIEW OF AUGUST 12, 2003 REGULAR MEETING

Items discussed were:

- Special Use Request – Proposed Daycare Center at St. Mark Coptic Orthodox Church on Livernois.
- Site Plan Review – Proposed Krispy Kreme Doughnut Shop at Oakland Mall.
- Site Plan Review – Proposed Birmingham Office Center on Coolidge.

10. PUBLIC COMMENT

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Miller reminded everyone there is no meeting scheduled for the first Tuesday of September because of the Labor Day holiday.

Ms. Lancaster reported that the Freund Site Condominium Motion for Summary Disposition is scheduled on August 14.

Mr. Kramer encouraged everyone to read the *Oakland Press* article circulated at tonight's meeting titled "Developer Wants Condos at I-696 Site".

Chairman Littman said that arrangements are still in the works for holding the August 26th Special/Study Meeting at the Troy Nature Center.

Mr. Waller requested a tour of the new Sanctuary Lake Golf Course.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:00 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director

G:\MINUTES\2003 PC Minutes\Final\08-05-03 Regular Meeting_Final.doc

September 16, 2003

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager – Finance/Administration
Steven Vandette, City Engineer
Nino Licari, City Assessor

Re: Reduction of Special Assessment for Hilmore/Larayne Paving
SAD #02.107.1

On September 8, 2003, City Council accepted the bids for asphalt paving of Hilmore and Larayne Street paving in Section 11 (Project #02.107.1).

The actual bid for the paving work on these two streets came in 7.1% lower than the original estimate that was approved by the residents and City Council.

City Charter, Section 10.6 states that any special assessment estimate that is 5% or more lower than the original roll, will be credited back to the parcels being special assessed.

The City Assessor has recalculated the costs to be special assessed to each affected parcel, and notified the owners of these parcels of their reduction in costs, by mail (sample letter attached). There has not been a billing to the affected parties yet, so the first billing will have the corrected (lower) assessment on it.

Additionally, the City Treasurer will receive the corrected roll, to facilitate the proper billing.

As this is a reduction in costs for the property owners, Council does not have to take any action of this item. Had there been a shortage in the special assessment roll, another public hearing would be required to allow the residents an opportunity to withdraw their support for the project.

Cc: Nancy Aguinaga, City Treasurer

Hilmore & Larayne Paving Final Roll 09/15/03 SAD # 02.107.1

88-20-11-103-014 DROUILLARD, DAVID G 5871 HILMORE TROY MI 48085-3345	88-20-11-126-001 MOUCH, WILLIAM & MARGARET 1302 E SQUARE LAKE TROY MI 48085	88-20-11-126-004 MARKOFF, CHRISTOPHER PAUL 5960 HILMORE TROY MI 48085-3331
(2 units \$5,931.30)	(2 units \$5,931.30)	(1.64 units \$4,863.67)
88-20-11-126-005 DODGE, PAUL W 5910 HILMORE TROY MI 48085-3331	88-20-11-127-001 BOYKO, ANTOINETTE 5880 HILMORE TROY MI 48085-3330	88-20-11-127-007 NASREY, ANTHONY G & LINDA 1333 LARAYNE TROY MI 48085-3355
(1.64 units \$4,863.67)	(1 unit \$2,965.65)	(1 unit \$2,965.65)
88-20-11-127-008 SCANLIN, DEAN C 1345 LARAYNE TROY MI 48085-3355	88-20-11-127-009 O NEILL, KEVIN & NATALIA 1363 LARAYNE TROY MI 48085	88-20-11-127-010 CRAIG, GEORGE E 1383 LARAYNE TROY MI 48085-3355
(1 unit \$2,965.65)	(1 unit \$2,965.65)	(1.32 units \$3,914.66)
88-20-11-127-014 BEWICK, RICHARD & LISA 1303 LARAYNE TROY MI 48085-3355	88-20-11-127-015 BEWICK, RICHARD & LISA 1303 LARAYNE TROY MI 48085-3355	88-20-11-127-016 BEWICK, RICHARD & LISA 1303 LARAYNE TROY MI 48085-3355
(1.10 units \$3,62.22)	(1 unit \$2,965.65)	(1 unit \$2,965.65)
88-20-11-176-002 ALLEN, EVELYN J 1320 LARAYNE TROY MI 48085-3334	88-20-11-176-003 (1334 Larayne) DANDU, SIMION & MARIANA 25452 MIRACLE DR MADISON HEIGHTS MI 48071	88-20-11-176-004 ZETTY, ROBERT C & BARBARA 1350 LARAYNE TROY MI 48085-3334
(1 unit \$2,965.65)	(1 unit \$2,965.65)	(1 unit \$2,965.65)
88-20-11-176-005 PARENT, KEVIN & GAYLE 1364 LARAYNE TROY MI 48085	88-20-11-176-006 BROOKS, DAVID J 1380 LARAYNE TROY MI 48085-3334	88-20-11-176-052 DEMBICKI, JOSEPH C 1392 LARAYNE TROY MI 48085
(1 unit \$2,965.65)	(1.32 units \$3,914.66)	(1.10 units \$3,62.22)

**City of Troy - Assessing Department
Revised Special Assessment Costs
for Hilmore & Larayne Paving SAD #02.107.1**

		88,495.00		95,250.00	
		2,965.65		3,192.02	
		Revised & Reduced Cost		Original Estimated Cost	Savings
Parcel ID	Units				
88-20-11-103-014	2.00	5,931.30		6,384.05	(452.75)
88-20-11-126-001	2.00	5,931.30		6,384.05	(452.75)
88-20-11-126-004	1.64	4,863.67		5,234.92	(371.25)
88-20-11-126-005	1.64	4,863.67		5,234.92	(371.25)
88-20-11-127-001	1.00	2,965.65		3,192.02	(226.37)
88-20-11-127-007	1.00	2,965.65		3,192.02	(226.37)
88-20-11-127-008	1.00	2,965.65		3,192.02	(226.37)
88-20-11-127-009	1.00	2,965.65		3,192.02	(226.37)
88-20-11-127-010	1.32	3,914.66		4,213.47	(298.81)
88-20-11-127-014	1.10	3,262.22		3,511.23	(249.01)
88-20-11-127-015	1.00	2,965.65		3,192.02	(226.37)
88-20-11-127-016	1.00	2,965.65		3,192.02	(226.37)
88-20-11-176-002	1.00	2,965.65		3,192.02	(226.37)
88-20-11-176-003	1.00	2,965.65		3,192.02	(226.37)
88-20-11-176-004	1.00	2,965.65		3,192.02	(226.37)
88-20-11-176-005	1.00	2,965.65		3,192.02	(226.37)
88-20-11-176-006	1.32	3,914.66		4,213.47	(298.81)
88-20-11-176-052	1.10	3,262.22		3,511.23	(249.01)
Total SAD Costs	22.12	65,600.18		70,607.57	(5,007.39)
Fairways Frontage	7.72	22,894.82	<=City Pays=>	24,642.39	(1,747.57)
Total Units	29.84	88,495.00		95,249.96	

Cost Estimate

September 12, 2003

Project Location: Larayne Street & Hilmore

Project No.: 02.107.1

Proposed Improvement: 2,200 lf, 24' Bituminous Asphalt/Concrete Pavement with underdrains, Hilmore Street from Sq. Lake to Larayne and Larayne from Hilmore to the east.

Item	Quantity		Description	Unit Cost	Total Cost
			SAD Share - Asphalt/Concrete Section (2,200')		
1.	960	Tons	Bit. Mix No. 500, 20C - 3"	36.50	35,040.00
2.	480	Tons	Bit. Mix No. 1100T, 20AA - 1 1/2"	39.70	19,056.00
3.	160	Tons	Bit. Mix No. 1100T, 36B - 4" Driveway	65.00	10,400.00
4.	600	Tons	21AA Aggregate for Shoulders	10.50	6,300.00
			Sub-Total		70,796.00
			Engineering, Admin. And Contingencies, 25%		17,699.00
			Total Special Assessment Share - Asphalt		88,495.00
			City Share		
			Sub-Total		202,622.66
			Engineering, Admin. And Contingencies, 25%		50,655.67
			Total City Share		253,278.33
			TOTAL PROJECT COST		341,773.33

Prepared by: Gary Streight

[\\G\Projects\Projects - 2002\02.107.1 - Larayne Street SAD\Cost Estimate for Larayne-Hilmore.xls](#)

September 16, 2003

Mr. & Mrs.
Hilmore, Larayne, E Square Lake
Troy, MI 48085-

Re: Special Assessment for paving on Hilmore & Larayne #02.107.1

Mr. & Mrs.,

As was mentioned at the information meeting for this special assessment project, there was a possibility of the bid for this job coming in lower than the estimate made by our Engineering Department.

The accepted bid did, indeed, come in lower than the original estimate, by 7.1%! City Council accepted this bid on September 8, 2003.

I have recalculated the special assessments for all of the properties in the district. The result of this recalculation changed (lowered) your special assessment as follows:

Your Parcel ID	Original Assessment	New Assessment
88-20-11-###-###	\$0,000.00	\$0,000.00

The project is expected to start in early October. If you have paid the full amount of the Special Assessment already, the City Treasurer will refund the difference to you. Otherwise, your first billing on the project will reflect the lower cost to you.

Please call me at 248 524-3305 if you have any questions. Thank you for your participation in this process!

Sincerely,

Nino Licari
City Assessor

September 12, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Member Composition:
Parks and Recreation Advisory Board
Advisory Committee for Senior Citizens Composition

Parks and Recreation Advisory Board Member Composition

At the City Council meeting on August 18, 2003, discussion took place regarding the potential for the Advisory Committee for Disabilities to have a representative on the Parks and Recreation Advisory Board. The dialogue also included the opportunity for interaction, understanding and exchange of ideas by scheduling a joint meeting of these groups.

The Parks and Recreation Advisory Board reviewed the City Council discussion and welcomes the opportunity for a joint meeting. Park Board members are interested in gaining knowledge regarding the interests and special needs of disabled members of the community. This meeting has been scheduled for October 9, 2003 at 7:30 pm, in room 503 of the Community Center.

Advisory Committee for Senior Citizens

Mary Kerwin and Paula Fleming of the School Board attended the September 4, 2003 Advisory Committee for Senior Citizens meeting. At the meeting, Ms. Kerwin stated they would like to have a School Board representative attend the Senior Advisory Board meetings to establish a relationship between seniors and students. There was no discussion regarding the School Board representative being named as a member of the Senior Advisory Committee.

September 16, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Parks and Recreation Receives Community Forestry Grant from the Michigan Department of Natural Resources

Troy Parks and Recreation was awarded a grant for \$3990.00 from the Michigan Department of Natural Resources (MDNR) Community Forestry Grant Program for its tree planting project in new sub-division and right-of-way areas.

Community Forestry Grant Program grants are available to communities and organizations on a competitive basis for urban and community forestry projects. Grant applications were rated based on project/program goals and quality. Project goals included responsiveness to Community Forestry Program objectives of improving environmental quality and quality of life in communities, and responsiveness to community needs. Project quality included project effectiveness, outcomes, short and long-term impacts, cost effectiveness and evaluation methods.

Proposals were also evaluated based on community size, geographic location, balance of urban and rural communities participating in the program and on project variety and relevance. Grants were awarded to the highest rated proposals determined by the MDNR.

September 16, 2003

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
 John M. Lamerato, Assistant City Manager/Finance and Administration
 Jeanette Bennett, Purchasing Director

Re: Report and Communication
 Status Report – E-procurement Initiative
 Third Party Vendor Registration and On-Line Auctioning

CURRENT STATUS

Upper Level Management has asked staff to update City Council on the City's E-procurement Initiative with special emphasis relating to On-Line Auctioning.

Third Party Vendor Registration

Third Party Vendor Registration that includes a vendor's ability to register for commodities on-line and includes Internet posting of bids, awards, and tabulations went live March 3, 2003. The mass-mailing letter sent to the vendors of MITN's (Michigan Intergovernmental Trade Network) membership of participating cities by Bidnet (MITN'S host) is attached. Currently the MITN website has registered 2,881 vendors. Troy has posted 21 formal bids, 14 quotes, and 18 awards with tabulations. The quotation process allows bidders to both download the quotation and respond to the quotation on-line with the System tabulating the pricing. Staff finds the system to be very efficient. Most vendor comments have been very positive and we have experienced better vendor participation than in past years with the Snow Plowing and Museum Painting bids being cases in point. It should be noted that computer illiterate vendors who have not kept up with advances in computer technology and the Internet have experienced some difficulties. Although, a fax option to obtain documents is available to those vendors who wish to pay a nominal annual fee of \$29.95. Vendors can still obtain a hard copy of a document in person at the Purchasing office.

Internet Auctioning

Purchasing has been working to implement the Internet Auctioning feature of the Bidcorp System over the last few months. By the time this item appears on the agenda, a Motorola Radio Console will have been posted for auction on the Bidcorp website. Shortly, street signs should also be ready to post. Over the last few months, Purchasing staff has been attempting to identify items that will be successful and efficient to post in our current environment. Purchasing has been working with the Information Technology Department (IT) to devise a process to include computer equipment. IT has a few pieces of equipment that we will test on the Bidcorp website soon.

Although not an impossible task, difficulties are experienced due to the lack of personnel or physical areas available at this time to handle this type of operation on a large-scale basis like the County and State who have whole divisions to handle the disposition of equipment. At this time, the few confined storage areas used should not be accessible to non-employees. Staff is usually located at distances from these areas.

December 26, 2002

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Jeanette Bennett, Purchasing Director

Re: Report and Communication
E-Procurement Initiative - Third Party Vendor Registration

COOPERATIVE – RFP PROCESS

Nine members of the Tri-County Purchasing Cooperative have been working on an E-Procurement Initiative to move paper-based processes involving vendors to the Internet. The City of Farmington Hills acted as the host City for a Request for Proposal process that would move vendor registration to the Internet with the potential of moving the entire bid process to e-procurement (Farmington Hills Executive Summary attached). Ten proposals were received with Bidnet selected as the bidder providing the most diverse, comprehensive, tested, and cost effective solution. Their solution includes third party vendor registration that allows a vendor to register for bid solicitations one time for all participating entities. Although only 9 of the 32 Tri-County Cooperative Members participated in the process, it is anticipated that others will join after the initial group is up and running.

It is staff's intention to start with a ***no cost solution for vendor registration that allows bidders to download bid documents for free***. Vendors will also be able to access bid tabulations via the Internet. Since there is no cost for the basic services, this item is forwarded for your information. Vendors can opt to incur a cost of \$29.95 per year for automatic notification of bids by either fax or email. It should be noted that the open bid concept remains intact since vendors have open access to bid documents. No changes to the Charter or Ordinance are required to go forward with this project.

Later projects involving sealed bids may require a legal opinion as to what constitutes a sealed bid and may require Charter and Ordinance revisions but staff intends to be on the forefront of advancing electronic procurement. Reverse auctioning could also be implemented in the future, but Charter and Ordinance requirements will require amendment due to sealed bid stipulations unless this process is used only for very competitive non-service type purchases under \$10,000.

INTERNET AUCTIONING

Another component of the RFP process was auctioning services over the Internet. After the demonstrations of the two finalists (Bidnet and Bidcorp), Bidcorp was the Cooperative's choice for Internet Auctioning. The City currently pays a nominal fee (\$200) to Bidcorp that allows staff to download Oakland County contracts. Included in the membership fee is the ability to participate in on-line auctions. Therefore, an award for this portion of the RFP process was not deemed necessary for those entities that pay the membership fee. Oakland County has dedicated staff and facilities to the disposal of County equipment and has made this site worthwhile over time. Since the City of Troy has neither the staff nor facilities that allow for efficient transfer of equipment due to our size, it is our intention to take only large items out to the Internet through Bidcorp to test whether it is an efficient and cost effective use of resources.

Michigan Inter-governmental Trade Network



March 3, 2003



Dear Vendor:

PARTICIPATING AGENCIES

CITY OF BIRMINGHAM
Finance Department
(248) 644-1800 ext. 319
www.ci.birmingham.mi.us

CITY OF DEARBORN
Purchasing Division
(313) 943-2375
www.cityofdearborn.org

CITY OF FARMINGTON HILLS
Purchasing Division
(248) 473-9528
www.ci.farmington-hills.mi.us

LIVINGSTON COUNTY
Purchasing Department
(517) 552-2316
www.co.livingston.mi.us

CITY OF ROCHESTER HILLS
Purchasing Division
(248) 841-2538
www.rochesterhills.org

CITY OF ROYAL OAK
City Manager's Office
(248) 245-3202
www.ci.royal-oak.mi.us

CITY OF STERLING HEIGHTS
Purchasing Division
(586) 446-2740
www.sterling-heights.net

CITY OF TROY
Purchasing Department
(248) 524-3576
www.ci.troy.mi.us

CITY OF WARREN
Purchasing Division
(586) 574-4639
www.cityofwarren.org

We are pleased to announce that the Tri-County Purchasing Cooperative under the Michigan Intergovernmental Trade Network (MITN) E-Procurement Initiative will begin utilizing one central bid notification system created exclusively for the following purchasing departments: Cities of Birmingham, Farmington Hills, Dearborn, Rochester Hills, Royal Oak, Sterling Heights, Troy, Warren and Livingston County. Created in conjunction with BidNet®, this system is available for registration and may be used by the named agencies to post bids, quotes, requests for proposals, construction notices, addenda, and awards including tabulations. Other purchasing agencies are expected to join in the months to come.

By establishing this centralized system, vendors will now have a single point of contact and broader access to new business opportunities throughout our region. The system provides the following benefits:

- 24-hour access to business opportunities
- Notification based upon your designated product or service
- More reliable and timely mechanism for obtaining documents
- Vendor managed registration system

Effective immediately, vendors with Internet access should review the registration options at www.govbids.com and select the link to the MITN site. If you do not have Internet access, please call the BidNet® support group at (800) 677-1997 extension # 214. They will be happy to register you over the telephone. As this new system provides many benefits to your company, be sure to read and decide which registration option is best for your business.

Participating agencies strongly encourage all companies to look closely at the option to receive automatic notification of solicitations. We look forward to providing you with increased business opportunities, less paperwork, and a simplified bidding and quoting process for everyone involved. We appreciate your cooperation and welcome your participation.

Should you have any questions regarding this new system or registration, please call BidNet®, at (800) 677-1997 or any agency listed herein.

Sincerely,


Jeanette Bennett
Purchasing Director
City of Troy

September 16, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager/Finance
Gary Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Parks and Recreation Fee Structure

During the study session on February 24, 2003, the City Manager indicated that a goal for the recreation division is to keep the funding subsidy at the same level for future years. Council indicated that this should be an objective for City management. Information provided to Council stated that for fiscal year end 2002, the subsidy to the Parks and Recreation division was \$2,705,164. Based on non-audited numbers in the 2002-03 budget, there is a shortfall of \$245,044 in the subsidy. The 2003-04 budget reflects the ability to meet the subsidy, but thus far, revenues are not meeting projections. In development of the current budget, staff included fee increases to assist in achieving the recreation subsidy based on the distributive method as described below.

It is the goal of Council, city management and staff to maintain a low tax rate while maintaining the current level of service to residents. A way to accomplish this is to initiate fees or increase fees to participants/groups. This necessitates changes to the costs of programs/services offered. There are two options to consider when establishing fees:

1. **Distributive Method:** Staff would have the latitude required to implement fees to cover the direct costs of programs. Consideration will be given to: what the market will bear; user group (youth, disabled, senior citizen, able bodied working adults...); Administration of fee collection; value of program/service to community.
2. **Inflationary Method:** Initiate fees that cover only the inflation/increased costs of all programs from the 2001-02 audited budget figures. A different approach to the way fees are established will be required if this system is followed. We are now able to begin and end programs based on market value and public input. Some programs may be eliminated with this approach such as those where fee collection is impossible or where people would not pay for a service.

Listed below are some examples of free programs that may have a fee assessed (fee listed is approximate charge):

<u>Program Area</u>	<u>Estimated Revenue</u>
Community Center Audio Visual Equipment Rental – approved by council on May 12, 2003 (rates vary)	\$2,500
Field Maintenance costs for youth organizations (Troy Baseball Boosters, Troy Youth Football, and Troy Youth Soccer League) – approved by council on September 8, 2003	\$5,500
Brochure cost in Troy Today for groups not associated with the department – approved by council on September 8, 2003 (rates vary pending on space size)	\$1,600
Senior Volleyball (\$40)	\$1,280
Senior Softball (\$40)	\$1,440
Community Center young adult basketball (\$4 per person)	
Vendors at senior Health and Fitness Day (\$75 per vendor)	\$1,500
Senior Stretch and Tone and Chair exercise (\$2 per class)	\$4,000
Senior gardens (\$20 per site),	\$1,560
Senior newsletter (\$10 per year)	\$20,000
Adaptive newsletter (\$10 per year)	\$2,000

The cost to existing programs may also change as this is further analyzed.

In addition to implementing fees, we will be seeking additional alternative funding such as grants and sponsorships for programs such as concerts, special events, etc. Reducing expenses where possible is a high priority. Staff has been informed of the Manager's challenge regarding the subsidy. Some programs may also be eliminated to subsidy costs – Robinwood/Morse summer youth program, reduce summer concert series, etc.

Regarding the senior volleyball fee for this season, the following are expenses associated with the program: Entry Fees for two teams - \$580; volleyballs - \$132; gym costs at Community Center - \$1260. Total expenditures are \$1972. There are 16 players per team, total of 32 players for two teams. Actual direct cost per player, with no administrative fee, is \$61.63. The fee of \$40 per player would cover some of the direct costs – entry fees and volleyballs (\$22.25), and minimal gym costs (\$17.75). The department is still subsidizing this program by \$692. Currently 28 of 32 players have registered and paid for the 2003-04 program, with department staff filling the remaining spots for players shortly. We will still re-examine the costs for Senior Volleyball and other youth/senior programs to see if a reduction can be made without jeopardizing other programs.

At the May 5, 2003 meeting City Council received a memo indicating the need to implement fees to meet this goal of keeping the funding level constant.

At the September 8, 2003 meeting City Council meeting received a memo indicating that fees would be charged for field maintenance and brochures costs to various organizations when there had been no charge for these services in the past. These fees were based on the distributive method.

Unless advised otherwise, staff will proceed with a distributive approach to assess fees for Recreation division programs.



**City of
Troy**

Charles T. Craft, Chief of Police

**Gary G. Mayer, Captain
Edward J. Murphy, Captain
Dane M. Slater, Captain**

500 W. Big Beaver Troy, Michigan 48084 (248) 524-3443

Support Services Division Memorandum

TO: Mr. John Szerlag, City Manager

FROM: Sgt. Tom Gordon *(Handwritten initials: JH, TGP)*

DATE: September 17, 2003

RE: Recent SDM applications at gasoline stations

I have discussed with Chief Craft my recent receipt of two requests for new SDM licenses (beer and wine, off-premise). Both of these requests are for Speedway gas stations, located at 880 E. Maple and 2980 John R. We currently do not have any SDM licensed businesses with gas pump permits in Troy. I have inquired with the Liquor Control Commission, and was informed that an SDM license is permissible at a gasoline retailer, as long as the pumps are 50 feet away from the point of sale, and that the store maintains an inventory of at least \$250,000 in merchandise (not including gasoline or alcohol). This rule allows many of the larger type retailers such as Costco and Meijers to maintain gas pumps in conjunction with their liquor licenses. I have forwarded this information to the Building Department, and the Law Department to inquire about zoning compliance. I will continue to process the applications, which includes full inspection of the businesses, and will report my findings to the Liquor Advisory Committee. As this is an SDM application, local governmental approval is not required for a license to be issued. The City will however, have the opportunity to voice an opinion regarding gas stations being issued liquor licenses.

**CITY OF OAK PARK
MICHIGAN**

RESOLUTION

CM-09-347-03

**RESOLUTION URGING STATE LEGISLATORS TO
AMEND THE MICHIGAN LIQUOR CONTROL ACT TO
ALLOW LOCAL GOVERNING BODIES TO
RECOMMEND APPROVAL OR DISAPPROVAL OF OFF-
PREMISE LICENSES AND TO PROHIBIT THE
DISPENSING OF BOTH GASOLINE AND ALCOHOLIC
BEVERAGES FROM THE SAME LOCATION**

Motion by Seligson, seconded by Frohlich, CARRIED UNANIMOUSLY: To adopt the following resolution:

WHEREAS, Local governing bodies have no authority over the issuance of SDM licenses; and

WHEREAS, The Michigan Liquor Control Commission does not take into consideration the health, safety and welfare factors, e.g. the distance between SDM licensed businesses, traffic volume, etc.,

WHEREAS, The Michigan Liquor Control Commission allows for the value of prepaid calling cards to be included to meet the inventory requirement for approval, even though the blank calling card has no value until purchased and validated for use;

NOW, THEREFORE, BE IT RESOLVED, that the City Council, of the City of Oak Park, Michigan, hereby urges our State Legislators to amend the Michigan Liquor Control Act to allow local governing bodies to recommend approval or disapproval of off-premises licenses, and to prohibit the dispensing of both gasoline and alcoholic beverages from the same location.

BE IT FURTHER RESOLVED, that if the State Legislators do not amend the Michigan Liquor Control Act to allow local governing bodies to recommend approval or disapproval of off-premises licenses that the license fee be increased to cover policing costs.

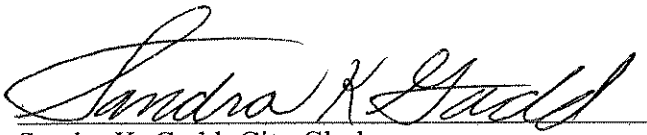
BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to State Senator Gilda Jacobs, State Representative Andy Meisner, State Representative Paul Condino, and to surrounding communities.

CM-09-347-03

Continued

Roll Call Vote:	Yes,	Yousif, Naftaly, Seligson, Frohlich, Horton
	No,	None
	Absent,	None

I, Sandra K. Gadd, City Clerk for the City of Oak Park, do hereby certify that the above resolution is a true copy of a resolution adopted by the Oak Park City Council, at a Rescheduled Meeting, held on September 2, 2003.

A handwritten signature in cursive script, reading "Sandra K. Gadd", written over a horizontal line.

Sandra K. Gadd, City Clerk

SEP 15 2003

CITY OF TROY
CITY MANAGER'S OFFICE

Proposal

a Ten million Bond Proposal
shall be enlisted to the April
Ballot subject to the voters approval
for the express purpose of Land
Usage and Restoration specifically
the Land Next to Firefighters park
for which the school Board has tentatively
let go. This Environmental Bond will
also be used in connection with the
preservation of other Land that the
council deems fit. However, it is
conditioned either on the withdrawal ^{of sale}
or the preservation on the fire
Land adjacent to fire fighters pk.

Richard Peters
Richard Peters

September 12, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Dedicated Football Field

Request

The Troy Youth Football organization has requested the City construct a dedicated football field for use by their organization as well as others. Troy Youth Football has investigated the possibility of using the Troy School District high schools but has found the rental cost prohibitive (\$3000/day).

Background

The Troy Youth Football (TYF) organization has been in existence in Troy for more than 45 years. TYF offers a tackle football and cheerleading program that includes approximately 200 participants on an annual basis. The program is divided into different age/weight divisions as follows:

- Ages 6-8 in a flag program (approximately 30 participants)
- Ages 8-10 in the freshman program (45-50 children)
- Ages 10-12 in the Junior Varsity program (45-50 participants)
- Ages 12-13 in the Varsity program (30-35 children)
- Cheerleaders with approximately 50 participants

The Troy Youth Football season is conducted in the fall with practices beginning the first week of August and continues until the culmination of the "Super Bowl" for the league in early November - approximately 14 weeks if a team qualifies for the playoffs. Each team in the league plays nine games during the season, which begins in early September.

Troy hosts four-five home dates and games are played at Boulan Park in the outfield of ball diamond #1. On a home date, there are four games on a Saturday or Sunday - a flag game, freshman game, junior varsity game, and a varsity game. Attendance at the games is approximately 500-600 throughout a game day. The football teams also practice at Boulan Park up to seven days a week prior the season and four days a week during the season. They practice on the outfield ball diamonds #1, #2 and #3.

Historically, Troy Youth Football has made special arrangements with the league administrators so that no games were scheduled for weekends when the field is not available - Labor Day weekend (Troy Soccer City Classic) and the week/weekend of Troy Daze. This year, no Soccer City Classic was held so the field was available Labor Day weekend.

Up until the 2004 season, no costs incurred by the City have been passed on to TYF. For the 2004 season, it is estimated that TYF will pay the City less than \$1000 for partial field maintenance and Troy Today print space.

Benefits of a dedicated field

If a dedicated football field were constructed for the Troy Youth Football program, it would provide the following benefits:

- Increased safety. A fully grassed field with proper irrigation may be safer.
- A dedicated fenced field would allow the TYF organization to charge admission for games. Most teams in their league have this capability to generate some revenue for their organization.
- There is a possibility that the TYF program could expand their program to include a second team in some of the divisions if a dedicated field is developed.
- Less maintenance work for the Parks department in re-configuration of the field prior to and after the football season.

A dedicated football field would include:

1. Installation of fencing around the facility.
2. Mobile or permanent bleachers.
3. Lights would be desirable but optional.
4. Installation of a scoreboard.

Cost of a Dedicated Football Field

There are several considerations in estimating the cost of a football field:

- 1) If an existing site is converted to a football field, the existing use and associated costs would be eliminated or have to be relocated.
- 2) The approximate cost to fence, add bleachers, and install a scoreboard to an existing site is \$200,000.00
- 3) Grading and reseeding, if necessary, is estimated at \$3.15/sq yd or \$35,000 total.
- 4) There is space for a use of this kind in the new park development although the plans would have to be adjusted to include fencing and lights. Parking would have to be increased and elements included in the preliminary designs may have to be adjusted or eliminated.

Total cost is estimated at \$200,000 minimum - \$400,000.00 including grading, lights, fencing, and bleachers depending on location.

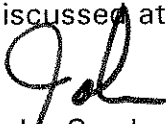
The Troy Youth Football organization is willing to commit \$30,000 over a 3-year period to assist in development. They have also indicated the possibility that members could complete some of the work associated with the construction of the field.

In the recent past, City Council indicated to the cricket players and skate park supporters that facilities would be approved for those users if 20% of the project cost were generated by funds other than from the City. Of course, the City would also need to identify funding

availability. At this time, there is no official policy or procedure that requires contribution from a special interest group in order for a project to be considered therefore the request is being forwarded to you.

Cc: Tony Berti, Troy Youth Football

NOTE TO COUNCIL: I believe a capital-intensive project such as this should be discussed at a future Study Session or Budget Session.

A handwritten signature in black ink, appearing to read "John", written over the printed name.

John Szerlag,
City Manager